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MADRAS RECORD OFFICE

1870

Oct – Dec

PROCEEDINGS

OF THE

MADRAS GOVERNMENT

IN THE

POLITICAL DEPARTMENT.

FOR THE YEAR 1870.

(IN FOUR VOLUMES.)

VOL. IV.

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1870.

A.

POLITICAL DEPARTMENT.

TABLE OF CONTENTS

TO THE

Proceedings of the Madras Government,

For the Month of October 1870.

1 Index numbers of the Proceed-ings.	2 Subject.	3 Date of Proceed-ings.	4 Date of report to Secretary of State for India.	5 Numbers and Dates of previous Proceedings.	6 Page.
1 & 2	*Sri Vardaraj Bunge's* departure on the 10th ultimo from Gopaulpore by the Steamer *Ethiopia*, reported by the Agent in Ganjam.	1870. 3rd Oct., No. 309.	....	....	255
3 & 4	*Vessels of War.*—Letter from the Magistrate of Malabar reporting that a French transport with troops on board, is off the port of Mahé, &c., recorded.	4th Oct., No. 310.	....	....	255
5 & 6	*Proclamation of Neutrality.*—The prohibition contained in the Queen's Proclamation of Neutrality, published in the *Fort Saint George Gazette* of the 23rd August last, extended to prize vessels entering ports in charge of prize masters and crews.	4th Oct., No. 312.	....	....	256
7 & 8	*Kurnool Pensioners.*—The payment of the charitable allowances to Khareem Khatun, Massum Khatun, and Hyath Khatun, ordered to commence from the date of the G. O. sanctioning the grants.	10th Oct., No. 314.	....	17th Aug. 1870, Nos. 25—27.	256
9 & 10	*Travancore.*—The opinion of the Advocate-General relative to the complaint preferred by Paripoorum Pakium, of Travancore, against certain British subjects of Tinnevelly who have constructed a new tank in British territory and diverted into it the water of a channel which feeds the complainant's tank in the Travancore territory, communicated to the Acting Resident of Travancore.	11th Oct., No. 315.	....	26th Aug. 1870, Nos. 35 & 36.	257
11—14	*Udayagari Jaghire.*—The Government of India addressed on the subject of the resumption of this jaghire.	10th Oct., No. 316.	....	....	258

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and Dates of previous Proceedings.	6 Page.
15 & 16	*Naturalization.*—The publication in three alternate issues of the *Gazette*, of the despatch and papers received from the Home Government respecting the rights and privileges of naturalized British subjects, ordered.	1870. 13th Oct., No. 318.	....	....	265
17 & 18	*Carnatic.*—Sanction accorded to the further employment, up to the end of the current month, of the two Clerks employed in the Chepauk Agent's Office to prepare certain accounts for the Commissioner for the Settlement of Prince Azeem Jah's Debts.	14th Oct., No. 323.	....	29th Aug. 1870, Nos. 41 & 42.	273
19 & 20	*Cochin.*—The release ordered of certain British subjects charged by the Cochin authorities with unlawful assembly, arson, and robbery, the charges not being proved.	15th Oct., No. 324.	....	....	274
21 & 22	*Carnatic.*—The petition of Enayat-oo-Nissa Begum and others to the Home Government claiming compensation on account of a house in the Chepauk Palace compound, which was taken up by Government, declined to be forwarded to its address on account of its intemperate language.	15th Oct., No. 325.	....	19th July 1870, Nos. 19—23.	279
23 & 24	*Vellore Stipend Pay Office.*—Budget estimate for 1871-72 reviewed.	19th Oct., No. 328.	....	....	279
25 & 26	*Carnatic.*—The continuance of one-third of the stipend of Shurf-oo-Nissa Begum to her three children, sanctioned as a special case.	19th Oct., No. 329.	....	....	280
27 & 28	———— Sanction accorded, as a special case, to a compassionate allowance of Rupees 5 per mensem, out of the lapsed stipend of Homed Ally Beg, to his widow Aman Bee.	19th Oct., No. 330.	....	25th Jan. 1859, Nos. 25 & 26.	280
29 & 30	———— Amathool Fatimah Begum, No. 375-D, permitted to continue to draw her stipend of Rupees 5 per mensem, and the cancelment of the sanction accorded in Order, dated 24th September 1870, No. 306, for the commutation of her stipend, directed.	21st Oct., No. 333.	....	24th Sept. 1870, Nos. 42 & 43.	281

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and dates of previous Proceedings.	6 Page.
31—34	*Carnatic.*—The pension drawn by the late Kazem Hoossain Khan, a Carnatic Stipendiary, considered to have lapsed, and a copy of these Proceedings transmitted to the Officiating Political Agent in Turkish Arabia for his information and for communication to Meerza Mahomed Hoossain Khan, Carnatic Stipendiary.	1870. 21st Oct., Nos. 334 & 335.	....	....	282
35 & 36	———— Government of India informed of the death at Lucknow, of Carnatic Stipendiary Moulvie Abdul Hakim, and their sanction requested for the continuance of a sum of Rupees 50 per mensem, as a charitable allowance, to Abdool Haleem, son of the deceased, on the understanding that all allowance shall cease on his death.	21st Oct., No. 336.	....	....	284
37 & 38	———— Copy of a communication from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, in which he expresses a hope to bring his work to a conclusion by the end of February next, or within the current official year, transmitted to the Government of India.	21st Oct., No. 337.	....	18th Aug. 1870, Nos. 28—30.	287
39—41	*Government Agent, Chepauk.*—Orders passed on the Budget Estimate for 1871-72.	25th Oct., No. 338.	....	....	288
42 & 43	*Collector and Special Agent, South Arcot.*—Budget Estimate for 1871-72 passed.	25th Oct., No. 339.	....	....	289
44—45-A	*Carnatic.*—Grant to Mahomed Ally Khan, the eldest shadee son of the late Carnatic Stipendiary Kumr-ood-Deen Khan, of a stipend of Rupees 16-3-6 per mensem, sanctioned.	25th Oct., No. 340.	....	....	290
46 & 47	———— Sanction of the Government of India requested to the continuance to Nawab Mahomed Jaffir Hussain Khan Bahadoor, the representative of the Ranjangudi Family, of the pension of Rupees 500 enjoyed by his late aunt Zora Begum, widow of the son of the last Jaghiredar.	25th Oct., No. 341.	....	....	291
48 & 49	———— Memorial from Hajee Ghulam Mahomed, a Carnatic Stipendiary on Rupees 200 per mensem, claiming an augmentation of his allowance, forwarded to the Government of India for transmission to the Home Government.	25th Oct., No. 342.	....	19th Nov. 1864, Nos. 51—53.	295

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and dates of previous Proceedings.	6 Page.
50 & 51	*Mints in Native States.*—Resolution of the Government of India regarding the maintenance of Mints by Native Chiefs, communicated to the Resident in Travancore and Cochin, and to the Political Agent at Poodoocottah.	1870. 26th Oct., No. 343.	....	....	297
52 & 53	*Carnatic.*—Memorial from Mahomed Abdul Rahman Khan Bahadoor claiming the continuance to him of the allowance of Rupees 35 a month, sanctioned in January 1859 in lieu of house-rent, in his mother's name, forwarded to the Government of India for transmission to the Secretary of State.	31st Oct., No. 347	....	....	299

POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of October 1870.

No. 1. Read the following letter from the Acting Agent to the Governor of Fort Saint George in Ganjam, to the Chief Secretary to Government, Fort Saint George, dated Chetterpore, 12th September 1870, No. 74 :—

I have the honour to report the departure on the 10th instant, from Gopaulpore, by Steamer *Ethiopia*, of Sri Vardaraj Bunge, and his Agent Nilacunta Misser, with some thirteen or fourteen attendants.

2. His family has been left at Berhampore.

3. I have much pleasure in stating that, during his sojourn in this district, Sri Vardaraj Bunge has conducted himself in a quiet and orderly manner.

No. 2. ORDER THEREON, 3rd October 1870, No. 309.

Communicated to the Commissioner of Police, Madras.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 3. Read the following letter from the Magistrate of Malabar, to the Chief Secretary to Government, Fort Saint George, dated Calicut, 26th September 1870, No. 92 :—

I have the honour to inform you that thirteen Pattamars have arrived at Mahé, bringing 500 tons of coal from Bombay.

2. Fifteen more vessels have been chartered for the same purpose. Messrs. Baudry and Co., of Tellicherry, are acting as agents for the supply.

3. A French transport, with troops on board, is off the port of Mahé, and it is stated that an iron-clad gun-boat is expected.

4. The Prussian Consul at Bombay is, I understand, in communication with German residents at these ports.

5. I merely report this for the information of Government.

6. On the publication of the proclamation of neutrality, I directed Superintendents of Sea Customs to report the arrival of any vessels of war of either belligerent in their ports, but no such arrivals have yet occurred.

No. 4. ORDER THEREON, 4th October 1870, No. 310.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 5. Read the following telegram from the Secretary to the Government of India, Home Department, to the Chief Secretary to Government, Fort Saint George, dated Simla, 29th September 1870 :—

Following telegram from Secretary of State received by Viceroy— see Proclamation of Neutrality in *Gazette of India* of 20th August :—

Telegram.—Queen's Advocate considers prohibition may of right be extended to prize entering port in charge of prize-master and crew.

No. 6. ORDER THEREON, 4th October 1870, No. 312.

Ordered that the following Notification be published in the *Fort Saint George Gazette* :—

"With reference to the Queen's Proclamation of Neutrality, published in the *Fort Saint George Gazette* of the 23rd August last, with Notification, dated Ootacamund, 19th idem, His Excellency the Governor in Council further notifies that the prohibition contained in the said Proclamation may of right be extended to prize vessels entering ports in charge of prize-masters and crews."

(By order of His Excellency the Governor in Council.)

(Signed) R. S. ELLIS,
Chief Secretary.

No. 7. Read the following letter from the Collector of Kurnool, to the Chief Secretary to Government, Fort Saint George, dated Kurnool, 16th September 1870, No. 313 :—

With reference to the Orders of Government noted in the margin, I have the honour to request information as to whether I am thereby authorized to disburse the stipends sanctioned to Khareem Khatun and Massum Khatun from 4th April 1866, the date of their petition to Government, and to Hyath Khatun from the date of Hussain Khatun's decease, namely, 2nd November 1867.

No. 254, dated 17th August 1870.
" 261, " 22nd " "

2. It has always been the custom to adopt this course on similar occasions; but, as no date is specified in the Government Orders above quoted, I have thought it best to apply for instructions before making the payment in arrears.

No. 8. ORDER THEREON, 10th October 1870, No. 314.

With reference to the letter above recorded, the Government resolve that the payment of the charitable allowance of Rupees 7 per mensem to Khareem Khatun and Massum Khatun, and of Rupees 10 per mensem to Hyath Khatun, shall commence from the date of the Orders of Government sanctioning those grants, namely, the 17th and 22nd August 1870, respectively.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 9. Read the following letter from the Government Solicitor, Madras, to the Under Secretary to Government, Fort Saint George, dated Madras, 9th September 1870, No. 494:—

I have the honour to acknowledge the receipt of the Order of Government, noted in the margin, together with its enclosure, requesting the Advocate-General's opinion relative to the complaint preferred by Paripoornum Pakium, of Travancore, against certain British subjects of Tinnevelly who have constructed a new tank in British territory and diverted into it the water of a channel which feeds the complainant's tank in Travancore territory.

Dated 26th August 1870, No. 266, Political Department.

2. I submitted the papers for the consideration of the Advocate-General, and have also conferred with him thereon; and

3. I now forward a copy of his opinion, and return, herewith, the enclosure above noted.

OPINION.

This is not one of those public matters about which it is the province of Government to interfere; such, for instance, as questions of navigation when States are separated by a river, or where a river flows in part of its course through one State, and in part through another; a general scheme of Government irrigation which may seriously affect the whole flow of the waters.

2. The British Government cannot interfere to stop the act complained of by any action of its own, nor can it bring any suit in its own Courts to compel the party charged to remove his dam, for the Government has suffered neither loss nor injury by the act.

3. The case is clearly a private one between party and party. It is not for me to advise the complainant as to her rights and remedies. It is sufficient that I should express my opinion as to the course which the Government ought to pursue.

4. But as it may occur to Government that, if the party alleged to be injured has no remedy, in consequence of being the subject of another State, there might be the more reason for desiring to interfere, I desire to state my opinion that a suit will lie in the Tinnevelly Courts at the instance of the plaintiff under Section 5 of the Civil Procedure Code. The defendant lives within the jurisdic-

tion; the cause of action arises within it; the case cannot, I think, be regarded as a "suit for land," but for a tort, and if it could be brought under the head of a suit for land, the land, *i. e.*, the bund to be removed is also within the jurisdiction. The plaintiff, though the subject of a foreign State, and not dwelling within British territory, may come in and submit to the jurisdiction by filing her plaint, when the whole case would be investigated, and she be allowed to establish any right she may have. The Courts in India are Courts of Equity which act in *personam*—Bagram *v.* Morse, 1, Hyde's Calcutta Reports, page 284, and see *Penn v. Lord Hallimore*, 2, *White and Trider's* Leading Cases, *et ibi notas.*

(Signed) J. B. NORTON,
Advocate-General.

5th September 1870.

No. 10. ORDER THEREON, 11th October 1870, No. 315.

The Government direct that the opinion of the Advocate-General, above recorded, be communicated to the Acting Resident of Travancore.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 11. MINUTE by His Excellency the PRESIDENT, dated 12th September 1869.

When I was at Nellore in the month of March last, I saw Ghose Sahib, the son of the last Jaghiredar of Udayagiri, living there with his family and relatives in a state of indigence, which could not be witnessed without sympathy when the former quality and opulence of the House are considered. Ghose Sahib brought his distresses under my notice, and, on my return to Madras, I called for a statement of the grounds on which the estate was sequestrated in the year 1839.

2. The accompanying Memorandum contains a detailed exposition of the circumstances which led to the resumption of the Jaghire, which was held on a life-grant by the deceased proprietor and suspected rebel, but which would, in all probability, have been continued in the family if he had not incurred grave suspicions of disaffection to Government.

3. A perusal of the paper now circulated leaves an impression on my mind that Abbas Ali Khan, the last Jaghiredar, was not improbably implicated in some degree in correspondence with the Nawab of Kurnool and with parties in Hyderabad concerning an expected invasion of India by the Mussulmans of the North, and that he may even have lent himself, weakly, to making some incipient provision of powder and arms at his hill fort, with a view to a contingency of that nature, probably without any distinct idea or intention of raising war against the English Government. He was, perhaps, induced to believe that troubled times were coming, and that it behoved him to prepare to take a part in the struggle. It is difficult to realize the credulity and ignorance of a Mussulman country gentleman thirty years ago in a wild corner of the Nellore District, and it is certainly more than probable

that no man of his class would have been an active supporter of English dominion in the event of a conflict. On the other hand, the evidence against the Jaghiredar was obviously so tainted in its origin and so imperfect that it would have broken down in a Court of Justice. Untried and undefended, the Jaghiredar, a simple subject of the British Government, was set aside, on the report of a Commissioner, as a measure of State expediency; his life-property was confiscated; and he was kept in confinement in a State fortress, with a pension sufficient to provide him with the bare necessaries of life. His sons have since been living in Nellore, with a reduced stipend at large. Ghose Sahib is the representative of the family. I presume the other brother, Ali Husen, is dead. If the estate of Udayagiri had been a Zemindary, a hereditary estate, it appears to me that it would have been consistent with the clemency of Her Majesty's Government to restore it to the family; but, as it was merely a life-tenure, and granted, as the Sunnud specifies, with particular regard to the fidelity and loyalty of the holder, I cannot now propose to over-rule the decisions of Government thirty years ago. The estate of Udayagiri is now a Government taluq, a prosperous and contented district under a Ryotwary settlement, paying, I believe, about a lakh of annual revenue to Government. It would seem chimerical to disturb this better condition of things. But neither can I contemplate the gradual degradation and impoverishment of the old Mussulman House with indifference. The Government, which has profited so much by the suspected treason of the family, but which shrank from bringing them before a Court of Justice on the charge, ought, I think, in commiseration, if not in equity, to place them, and, if possible, maintain them, in a decent condition. I would submit the case to the Government of India with the following recommendations:—

(1).—That an allowance of Rupees 600 per mensem be granted to the family and dependents of the late Jaghiredar of Udayagiri, to be distributed on the recommendation of the Collector of Nellore.

(2).—That the sum of Rupees 10,000 be given to the present representative of the family, Ghose Sahib, for the payment of his debts, in consideration of the insufficient stipend hitherto awarded to him.

(3).—That the money allowance of Rupees 600 per mensem be commuted into a grant of land in the form of a Zemindary estate of the like value when such an arrangement can be made by the lapse or resumption of Zemindary land, or in some other way, without prejudice to the interest of Government tenants.

(Signed) NAPIER.

No. 11-A. MINUTE by the Hon. A. J. ARBUTHNOT, dated 27th April 1870.

I do not object to the two first propositions made by His Excellency the Governor in the foregoing Minute, but I think it very doubtful whether the Supreme Government will sanction either of them.

(Signed) A. J. ARBUTHNOT.

No. 12. MINUTE by the Hon. H. D. PHILLIPS, dated 20th October 1869.

My early service, from the commencement of 1832 till the beginning of 1837, was in the Nellore District. During that period I occasionally met persons belonging to the Udayagiri family, and, from their free, unreserved, and independent

manners, I formed a favourable opinion of the family itself, though its heads rarely visited the Cusbah Town of Nellore. The Jaghiredar himself was too obese and unwieldy to quit Udayagiri unless under extreme pressure. He came once to Nellore in the time of Mr. J. C. Whish, Principal Collector, and was then treated with much respect and great consideration. It did not seem to be then known that he held the Jaghire, as these papers show, on only a life-tenure. On the contrary, he was regarded and treated, as I recollect, as a member of the hereditary aristocracy of the country and as a principal Mahomedan nobleman.

2. The diamond affair I have in my memory, though somewhat indistinctly. As I recollect, Mr. Jellicoe, an Assistant Magistrate, committed the case to the Zillah Court in which I was Assistant Judge, and it came before me for trial, preparatory, if proof enough were adduced, to my commitment of it for trial by the Circuit Court of those days. I forget if the Jaghiredar or his sons were charged in it as defendants, but, whether or not, some discussion took place as to the propriety of citing the Jaghiredar to appear in Court, and I think it was determined not to cite him unless a good case for the prosecution were made out.

3. The case fell through. I found it supported by evidence of a wholly untrustworthy kind, and which impressed me with a belief that it was a pure concoction.

4. The charge was that a Cabul or Candahar merchant, who had been hospitably entertained by the Jaghiredar at the Droog, had ultimately been swindled out of a very valuable diamond, and had then been ejected from the palace with violence.

5. I am satisfied that the share I involuntarily and judicially took in this matter created towards me an unfriendly feeling on the part of the Principal Collector Mr. Stonhouse, with whom I had generally been on terms of amity and intimacy. Mr. Stonhouse had a strong opinion of the truth of the charge, or, at all events, so expressed himself in depreciation of the correctness of my judgment in this case. I am, therefore, inclined to think that the late Jaghiredar was justified in attributing to the diamond affair the commencement of that virulent hostility on Mr. Stonhouse's part which ceased only with the Jaghiredar's ruin.

6. Since the fall of the Udayagiri House, I have had no opportunity of meeting any of its principal members till about four years ago, when I saw a son or a nephew of the old man in Madras. The conversation I then held with this person left me painfully impressed with a conviction that their treatment had been harsher than is generally dealt out to individuals of rank and respectability who have fallen under the displeasure, merited or otherwise, of the British Government.

7. Having now perused the papers relative to the charges under which the heads of the family were convicted of supposed disloyalty, without an open, formal trial, the above-stated conviction has become stronger than it originally was, and I am compelled to doubt whether late Governments in this Presidency, or the Government of the present day, would have felt themselves justified in decreeing the ruin of the Udayagiri family on the material supplied. As, however, the subject cannot, of course, be reopened, and it behoves us to accept as correct the decision of the Government of 1840, I shall cordially support the proposal of His Lordship the President now to diminish the sufferings of the family by securing for the late Jaghiredar's son a stipend larger by 450 Rupees per mensem than the trifling

pittance of 150 Rupees now allowed to him for his own support and the maintenance of the Udayagiri family and its numerous dependents.

8. It would be well, I think, and just to make the higher stipend payable in arrear from April 1865, when the small stipend was assigned to Ghose Sahib, but the aggregate of the difference would exceed the grant of 10,000 Rupees which His Lordship the President would present to him in gift, that he may meet his pecuniary liabilities and clear them off. I, therefore, willingly accept His Lordship's proposition, and would request the Government of India to allow that sum to find a place in the Budget of 1870-71.

9. I am, however, disposed to doubt the goodness of the policy which would convert the existing descendants of the Udayagiri family into landed proprietors by the process suggested by His Lordship. No body of ryots, holding such land as might be selected for the Zemindary to be assigned to them, would relish a transfer to Mahomedan ownership; and experience has shown, not only that Mahomedans generally in this Presidency are bad landlords, but that the position of landlord has, in most cases, operated detrimentally on the interests of the Mahomedan proprietors. I would leave it to Ghose Sahib to economize, and, from his savings, buy such land as he may desire to acquire.

(Signed) H. D. PHILLIPS.

No. 13. MINUTE by the Hon. J. D. SIM, C.S.I., dated — August 1870.

When this subject was mentioned in Council, and I expressed my readiness to join in the proposed application to the Supreme Government for an increased allowance to Ghose Sahib, I had not seen the Minutes of His Excellency and the Members of Government, nor the "Memorandum," and was under the impression that the application was merely based on grounds of generous commiseration for a fallen family. I find, however, that the decision of the Government of 1839 is directly impugned, and that, to all intents and purposes, it is on this ground of an unjust conviction that the application is made.

2. I cannot but deprecate this course.

3. The late Jaghiredar was charged with treasonable designs, in violation, not merely of his fealty as a subject of the British Government, but of the express stipulations of his tenure. The charge was tried by a Special Commissioner, a Judicial Officer of high standing and experience, and its truth was established to the satisfaction of the Government of the day, whose proceedings (the resumption of the Jaghire and confinement of the Jaghiredar as a State prisoner) were upheld and confirmed by the Supreme Government and the Court of Directors. And now, when thirty years have passed, when Judge, accused and accusers, and probably witnesses too, are all dead, it is proposed deliberately to impugn the justice of the decision on a mere critical examination of the records in the Government Office, without any new or additional testimony whatever. I venture to think that the authorities of the day were quite as capable as we are of correctly appreciating evidence, and certainly they had better means, while the actors in the scene were alive, of arriving at the truth than we have, after the lapse of thirty years. It is true that the Jaghiredar was not arraigned before a Court of Justice, but he had committed no overt act of rebellion; his designs were nipped in the bud. Even if

he had been tried thus, and the evidence had broken down, the charge might still have been substantially true, and the condition on which he held his estate, viz., to "continue faithful in his allegiance," have been violated.

4. It seems to me most impolitic thus to reopen questions which have been settled for years by competent authorities and to destroy all feeling of finality in the acts of preceding Governments. I cannot acquiesce in the draft, so far as it refers to the decision of 1830, nor in the proposal to adopt and forward the Memorandum. If I could, I should feel bound to advocate a reversal of the original sentence, and most full compensation for its consequences.

5. I am, however, quite willing to join in the recommendation to give the son the liberal pension proposed for life, and to free him from the pressure of his debts. He and the other members of the family were innocent, and the paltry pittance they have received was unworthy of our Government. I do not consider, however, that we should be justified in granting the pension in perpetuity. The estate was originally held by a Hindoo family who rebelled against the Mahomedan Nawab of the day. The grandfather of the late Jaghiredar defeated and slew the rebel chief, and received the Jaghire partly as a reward and partly for military services to be rendered. The Sunnud was confirmed by our Government in 1804, but only as a life-grant, with the stringent condition that it was to lapse "free from all demand of *inheritance* or debt." It may fairly be inferred that the Government of 1804 did not regard the then Jaghiredar's claims on us as peculiarly strong, and I do not consider that we should be justified in creating a perpetuity now for his family. I would, therefore, limit the increased pension to Ghose Sahib's life, leaving a provision for his family for consideration when the occasion arises.

(Signed) J. D. SIM.

No. 14. To the Secretary to the Government of India, Foreing Department, dated Fort Saint George, 10th October 1870, No. 316.

The Government of Madras has recently had under its consideration the case of the remaining members of the Udayagiri family of the Nellore District, the relatives of the deceased Jaghiredar, Abbas Ali Khan, who was dispossessed in 1839. On a careful review of this case, His Excellency in Council is of opinion that the allowances which have hitherto been granted to this family are entirely inadequate to their position, as one of the leading Mahomedan families of the Presidency, and that, having in view the circumstances under which the Jaghire of Udayagiri was resumed, and the advantages which have accrued to the British Government from the resumption of this estate, there are grounds for recommending to the Government of India that the position of the present representative of the Udayagiri family should be materially improved.

2. The Udayagiri Jaghire in the District of Nellore was originally held from the Golconda Kings by a Hindu family, but, in 1719, after acts of rebellion on their part, was conferred on Bidr-u-din Ali Khan, a Mahomedan of good family in the service of the Nawabs of the Carnatic.

3. The Jaghire was a Badshahi life-grant, and was to be held during good behaviour. The titles to it were two parvanas of Saadut Ulla Khan, dated 1719, and confirmed by a Sunnud of the Delhi Emperor, Mahomed Shah, dated 1731. The value of the estate, which consisted of sixty-eight villages and seventy-three

hamlets, was then estimated at Rupees 1,54,259. The grants to Bidr-u-din Ali Khan were confirmed to his son and grandson by the Nawabs Mahomed Ali and Omdut-ul-Omra.

4. On the assumption of the Government of the Carnatic under the treaty of 1801, the Jaghire was valued at Rupees 1,07,400, and it now yields to Government a revenue of about this amount. A Sunnud was granted in 1804 to Abbas Ali Khan, who was a grandson of the first holder, and had been in possession since 1781. By this Sunnud, the Jaghire was confirmed to him for life, at a peishcush of Pagodas 3,439; and it contained an important condition of allegiance, to the effect that "the said Sied Ali Abbas Khan shall continue faithful in his allegiance to the British Government, and obedient to the regulations which have been or may be established by its authority for the internal government of the country, for the administration of justice, and for preserving to its subjects the enjoyment of their just rights and privileges." On his death it was to devolve on the Company "free of all demand of inheritance or debt."

5. In 1839, the Jaghire was resumed under the provisions of this Sunnud, Abbas Ali Khan having been considered guilty of treason towards the British Government. The charges against him were, that he was in communication and acting in concert with the prime movers of a conspiracy which had its ramification in almost all parts of India, and that, in pursuance of the designs of the conspirators, he had strengthened his fort and collected provisions, arms, and munitions of war. His treasonable communication was alleged to have been chiefly with Hyderabad, where disaffection towards the British was at the time believed to prevail, and with the Nawab of Kurnool, who was subsequently involved in hostilities with the British Government.

6. The Madras Government in 1839 were of opinion that sufficient evidence in support of these charges was adduced to justify the resumption of the Jaghire and the confinement of the Jaghiredar and his sons as State prisoners; and these measures were carried into effect on the 5th November 1839. The delinquents were confined at Chingleput, an allowance of Rupees 400 per mensem having been assigned for their support, of which Rupees 250 were allotted for the Jaghiredar himself. He died in 1841, and Rupees 230 in all were granted to his three sons. Of these, only one, Ghose Sahib, now survives, and is in the receipt of Rupees 150 per mensem. He has been permitted to reside at Nellore, and, since 1840, has never given the least occasion for offence. He has a large family entirely dependent upon him for support.

7. I am to state that His Excellency the Governor in Council, without venturing to question the value and nature of the evidence which was deemed in 1839 adequate to establish the guilt of the Jaghiredar—a point on which, doubtless, the Government of the day were most competent to judge, is at liberty to remark that several circumstances in the case indicate a somewhat hasty action on the part of the then Government, and that the treatment of the Udayagiri house was harsher than that which is usually dealt out to familes of rank and respectability who have fallen under the displeasure of the British Government.

8. The first information incriminating the Jaghiredar was alleged to have been obtained from suspected "emissaries," who were arrested at Nellore in the early part of 1839. In May, it was determined to appoint a Commissioner to make inquiries,

with a view to bring the Jaghiredar and his sons to judicial trial if it should be found that there was evidence sufficient to support a prosecution. Mr. Casamajor, the Commissioner, after some inquiry, came to the conclusion that sufficient evidence might be obtained, and, in September 1839, ordered the arrest of the Jaghiredar, his sons, and three of his dependents, and the attachment of the Jaghire. One object of these measures was avowedly that, by the removal of the immediate influence of the Jaghiredar, further and more complete evidence might be obtained.

9. On the receipt of the Commissioner's report, the then Government (14th October 1839) directed him to proceed into the Jaghire to collect evidence, but, on the 5th November following, ordered the resumption of the Jaghire and the removal of the prisoners to Chingleput.

10. The inquiry of the Commissioner was clearly intended as a preliminary to a formal judicial investigation, and was so regarded by him as well as by the Jaghiredar. Abbas Ali Khan, when called on for explanation as to the charges made against him, the proofs of which were withheld by Mr. Casamajor, replied that he would question and show objection to the witnesses in Court. He, in fact, reserved his defence, but was never offered an opportunity of scrutinizing the evidence against him, or of explaining the conduct complained of.

11. After the resumption, Mr. Casamajor went to Udayagiri and collected a mass of evidence, as to the conclusiveness of which the Government do not now express any opinion, but of which it may at least be said that it was not of such a nature as to enable the Government to undertake the criminal prosecution of the suspected parties. They prefer to base the recommendation, which I am directed to make, upon the present indigence and the past sufferings of Ghose Sahib, the present representative of the family, whose pittance must be admitted to be inadequate, and out of proportion to the benefit which the Government has derived from his father's alleged treason. It is most probable that, had not the Jaghire been resumed, it would, on the death of Abbas Ali Khan, have been continued to his heir, as, under the Mahomedan Government, whose grants were similar to the British Sunnud, and for life only, the tenure had practically become hereditary.

12. His Excellency in Council cannot, under the circumstances above detailed, view without regret the degradation and impoverishment of the Udayagiri family, and he is desirous of bringing their case to the notice of the Government of India with a view to the amelioration of their condition.

13. As stated above, the value of this Jaghire is about Rupees 1,07,400 per annum, and His Excellency in Council considers that it would, under the peculiar circumstances of the case, be a becoming act of generosity on the part of the British Government to place the representative of this ancient and distinguished Mahomedan house in a position of comfort and respectability.

14. His Excellency the Governor in Council would, therefore, propose that an allowance of 600 Rupees per mensem should be granted for the support of the family and dependents of the late Jaghiredar of Udayagiri, to be distributed on the recommendation of the Collector of Nellore, and that a sum of Rupees 10,000 be given to the present representative of the family, Ghose Sahib, for the payment of his debts, which are mainly due to the insufficient stipend hitherto awarded to him.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 15. Read the following Despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor in Council, Fort Saint George, dated India Office, London, 6th September 1870, No. 14 (Political):—

I forward, herewith, for the information of your Excellency's Government, copy of a letter from the Foreign Office, dated 19th August 1870, with enclosed regulations, respecting the rights and privileges of naturalized British subjects.

Circular Instructions, dated 4th March 1861, with enclosed letter from Lord Russell to Lord Howard deWalden, dated 24th January 1861.
Naturalization Act, 1870, 33rd Vic., Cap 14.

2. A copy of the accompaniments to this Despatch has been furnished to the Governments of India and Bombay.

From G. HAMMOND, Esq., to the Under Secretary of State for India, dated Foreign Office, 19th August 1870.

I have laid before Earl Granville your letter of the 2nd instant, enclosing a copy of a letter from the Bombay Government, requesting to be furnished with any regulations relating to the extension of British protection to persons not subjects of Her Majesty by birth.

2. I am to request that you will inform the Duke of Argyll that no Circular appears to have been addressed by this office to Her Majesty's Diplomatic and Consular Services abroad either in the year 1858 or 1859, the periods referred to in the letter from Bombay on this subject.

3. A Circular, of which copies are enclosed, was, however, sent out in March 1861, on the subject of the Rights and Privileges of Naturalized British subjects, their wives and children, which may probably be the Circular referred to by the Acting Secretary of the Bombay Government; but I am to request that, in laying this Circular before the Duke of Argyll, you will call His Grace's attention to the fact that the new Naturalization Act of the present session, of which a copy is enclosed, materially alters the law on the subject in many respects.

Act XXXIII, Vic., Cap. 14.

FOREIGN OFFICE, 4*th March* 1861.

CIRCULAR.

Her Majesty's Minister at Brussells has lately requested information on various points connected with the Rights and Privileges of Naturalized British subjects, their wives and children; and as the questions referred to involve general principles upon which it is desirable that you should be correctly informed, I transmit to you, herewith, for your guidance, a copy of a Despatch which I have addressed to the Lord Howard deWalden in reply.

To Lord Howard deWalden, No. 6, 24th January 1861.

I am, with great truth, &c.

From Lord J. RUSSELL, to Lord HOWARD DEWALDEN, dated Foreign Office, 24th January 1861, No. 6.

Your Lordship takes occasion, from circumstances which have lately occurred at Brussels connected with M. Ignatius Téleki, a naturalized British subject, to ask in your Despatch, No. 152, of the 3rd December, for information on points which, though arising immediately in the case of that gentleman, involve general principles, and may, therefore, be more conveniently dealt with as doing so.

The first question is, whether a person who was naturalized as a British subject previously to the 24th of August 1850, is entitled to a permanent passport; and the answer to it is that, as the rule in regard to the limitation of time in passports granted to naturalized British subjects applies only to those naturalized subsequently to the above-mentioned date, there can be no question

as to the right of a person naturalized previously to that date to receive, like any natural-born British subject, a passport not limited in regard to time.

The second question is, whether a woman, either by birth a British subject, or a naturalized British subject, or an alien, is entitled on being married abroad to a naturalized subject to receive a passport in her new character of a married woman. The answer is that, if the woman is a natural-born British subject, she does not lose that character by marrying a naturalized British subject, and that, consequently, she is entitled to a fresh passport as a British subject in her married name; but if the woman is a naturalized British subject, or an alien, then, as the woman cannot, in her married state, travel under her maiden name, and as, whatever may have been her nationality before marriage, she acquires upon marriage the nationality of her husband, she is entitled to be placed in regard to a passport on the same footing as her husband; and, consequently, in such a case, Her Majesty's Ministers or Consuls would be authorized to act exceptionally, and to grant to the woman an original passport, subject to the same conditions as the passport held by her husband, that is to say, a passport not limited in point of time if her husband's passport is not limited, or limited so as to correspond with the limit of time at which her husband's passport will expire, if her husband's passport is limited. But in no case must the wife's name be inserted in the passport held by the husband previously to the marriage, for no Minister or Consul is authorized under any circumstances to insert an additional name in a passport, whatever number of names such passport when originally granted was stated to include.

In a despatch of the same date as that to which I have already replied, namely, in your No. 151, of the 3rd of December, and in your letter to Mr. Hammond of the 24th December, your Lordship asks three further questions :—

1st.—As regards the character of the children of a British naturalized subject born abroad : the answer is that such children share the character of their father, and are to be considered as naturalized British subjects so long, at least, as they are under age and living with their father. But this is, of course, subject to the local law which may rightly deal with children born in the country, whatever may be the circumstances of their father, as natural-born subjects of the country in which they were born.

2ndly.—Whether naturalized subjects are entitled to be married at Her Majesty's Legations or Consulates : the answer will be that they are so entitled.

3rdly.—Whether naturalized subjects are to be presented at Court by Her Majesty's Diplomatic servants : and to this I reply that I see no ground on which a general rule excluding them from such presentations should be laid down ; and I consider that Her Majesty's Representatives may properly use in regard to the presentation of naturalized British subjects the same discretion as they are in the habit of using in regard to natural-born.

Vic. 33, CHAPTER 14.

An Act to amend the Law relating to the legal condition of Aliens and British Subjects.

[*12th May* 1870.]

Whereas it is expedient to amend the law relating to the legal condition of aliens and British subjects : Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited for all purposes as "The Naturalization Act, 1870."

Status of Aliens in the United Kingdom.

Capacity of an alien as to property.

2. Real and personal property of every description may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural-born British subject and a title to real and personal property of

every description may be derived through, from, or in succession to an alien, in the same manner in all respects as through, from, or in succession to a natural-born British subject: Provided—

(1.) That this section shall not confer any right on an alien to hold real property situate out of the United Kingdom, and shall not qualify an alien for any office or for any municipal, parliamentary, or other franchise:

(2.) That this section shall not entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him:

(3.) That this section shall not affect any estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the passing of this Act, or in pursuance of any devolution by law on the death of any person dying before the passing of this Act.

Power of naturalized aliens to divest themselves of their status in certain cases.

3. Where Her Majesty has entered into a convention with any foreign State to the effect that the subjects or citizens of that State who have been naturalized as British subjects may divest themselves of their status as such subjects, it shall be lawful for Her Majesty, by Order in Council, to declare that such convention has been entered into by Her Majesty; and from and after the date of such Order in Council, any person being originally a subject or citizen of the State referred to in such Order, who has been naturalized as a British subject, may, within such limit of time as may be provided in the convention, make a declaration of alienage, and from and after the date of his so making such declaration such person shall be regarded as an alien, and as a subject of the State to which he originally belonged as aforesaid.

A declaration of alienage may be made as follows, that is to say,—If the declarant be in the United Kingdom in the presence of any Justice of the Peace, if elsewhere in Her Majesty's dominions in the presence of any judge of any court of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorized by law in the place in which the declarant is to administer an oath for any judicial or other legal purpose. If out of Her Majesty's dominions in the presence of any officer in the Diplomatic or Consular service of Her Majesty.

How British-born subject may cease to be such.

4. Any person who by reason of his having been born within the dominions of Her Majesty is a natural-born subject, but who also at the time of his birth became under the law of any foreign State a subject of such State, and is still such subject, may, if of full age, and not under any disability, make a declaration of alienage in manner aforesaid, and from and after the making of such declaration of alienage such person shall cease to be a British subject. Any person who is born out of Her Majesty's dominions of a father being a British subject may, if of full age, and not under any disability, make a declaration of alienage in manner aforesaid, and from and after the making of such declaration shall cease to be a British subject.

Alien not entitled to jury de medietate linguæ.

5. From and after the passing of this Act, an alien shall not be entitled to be tried by a jury de medietate linguæ, but shall be triable in the same manner as if he were a natural-born subject.

Expatriation.

Capacity of British subject to renounce allegiance to Her Majesty.

6. Any British subject who has at any time before, or may at any time after the passing of this Act, when in any foreign State and not under any disability voluntarily become naturalized in such State, shall from and after the time of his so having become naturalized in such foreign State, be deemed to have ceased to be a British subject, and be regarded as an alien; Provided—

(1.) That where any British subject has before the passing of this Act voluntarily become naturalized in a foreign State and yet is desirous of remaining a British subject, he may, at any time within two years after the passing of this Act, make a declaration that he is desirous of remaining a British subject, and upon such declaration herein-after referred

to as a declaration of British nationality being made, and upon his taking the oath of allegiance, the declarant shall be deemed to be and to have been continually a British subject; with this qualification, that he shall not, when within the limits of the foreign State in which he has been naturalized, be deemed to be a British subject, unless he has ceased to be a subject of that State in pursuance of the laws thereof, or in pursuance of a treaty to that effect:

(2.) A declaration of British nationality may be made, and the oath of allegiance be taken as follows; that is to say,—If the declarant be in the United Kingdom in the presence of a justice of the peace; if elsewhere in Her Majesty's dominions in the presence of any judge of any court of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorized by law in the place in which the declarant is to administer an oath for any judicial or other legal purpose. If out of Her Majesty's dominions in the presence of any officer in the Diplomatic or Consular service of Her Majesty.

Naturalization and Resumption of British Nationality.

Certificate of naturalization.

7. An alien who, within such limited time before making the application herein-after mentioned as may be allowed by one of Her Majesty's principal Secretaries of State, either by general order or on any special occasion, has resided in the United Kingdom for a term of not less than five years, or has been in the service of the Crown for a term of not less than five years, and intends, when naturalized, either to reside in the United Kingdom, or to serve under the Crown, may apply to one of Her Majesty's principal Secretaries of State for a certificate of naturalization.

The applicant shall adduce in support of his application such evidence of his residence or service, and intention to reside or serve, as such Secretary of State may require. The said Secretary of State, if satisfied with the evidence adduced, shall take the case of the applicant into consideration, and may, with or without assigning any reason, give or withhold a certificate as he thinks most conducive to the public good, and no appeal shall lie from his decision, but such certificate shall not take effect until the applicant has taken the oath of allegiance.

An alien to whom a certificate of naturalization is granted shall in the United Kingdom be entitled to all political and other rights, powers, and privileges, and be subject to all obligations, to which a natural-born British subject is entitled or subject in the United Kingdom, with this qualification, that he shall not, when within the limits of the foreign State of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject unless he has ceased to be a subject of that State in pursuance of the laws thereof, or in pursuance of a treaty to that effect.

The said Secretary of State may in manner aforesaid grant a special certificate of naturalization to any person with respect to whose nationality as a British subject a doubt exists, and he may specify in such certificate that the grant thereof is made for the purpose of quieting doubts as to the right of such person to be a British subject, and the grant of such special certificate shall not be deemed to be any admission that the person to whom it was granted was not previously a British subject.

An alien who has been naturalized previously to the passing of this Act may apply to the Secretary of State for a certificate of naturalization under this Act, and it shall be lawful for the said Secretary of State to grant such certificate to such naturalized alien upon the same terms and subject to the same conditions in and upon which such certificate might have been granted if such alien had not been previously naturalized in the United Kingdom.

Certificate of re-admission to British nationality.

8. A natural-born British subject who has become an alien in pursuance of this Act, and is in this Act referred to as a statutory alien, may, on performing the same conditions and adducing the same evidence as is required in the case of an alien applying for a certificate of nationality, apply to one of Her Majesty's principal Secretaries of State for a certificate herein-after referred to as a certificate of re-admission to British nationality, re-admitting him to the status of a British

subject. The said Secretary of State shall have the same discretion as to the giving or withholding of the certificate as in the case of a certificate of naturalization, and an oath of allegiance shall in like manner be required previously to the issuing of the certificate.

A statutory alien to whom a certificate of re-admission to British nationality has been granted shall, from the date of the certificate of re-admission, but not in respect of any previous transaction, resume his position as a British subject; with this qualification, that within the limits of the foreign State of which he became a subject he shall not be deemed to be a British subject unless he has ceased to be a subject of that foreign State according to the laws thereof, or in pursuance of a treaty to that effect.

The jurisdiction by this Act conferred on the Secretary of State in the United Kingdom in respect of the grant of a certificate of re-admission to British nationality, in the case of any statutory alien being in any British possession, may be exercised by the Governor of such possession; and residence in such possession shall, in the case of such person, be deemed equivalent to residence in the United Kingdom.

Form of oath of allegiance.

9. The oath in this Act referred to as the oath of allegiance shall be in the form following; that is to say,

"I, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me GOD."

National status of Married Women and Infant Children.

National status of married women and infant children.

10. The following enactments shall be made with respect to the national status of women and children:—

(1.) A married woman shall be deemed to be a subject of the State of which her husband is for the time being a subject:

(2.) A widow being a natural-born British subject, who has become an alien by or in consequence of her marriage, shall be deemed to be a statutory alien, and may as such at any time during widowhood obtain a certificate of re-admission to British nationality in manner provided by this Act:

(3.) Where the father being a British subject, or the mother being a British subject and a widow, becomes an alien in pursuance of this Act, every child of such father or mother who during infancy has become resident in the country where the father or mother is naturalized, and has, according to the laws of such country, become naturalized therein, shall be deemed to be a subject of the State of which the father or mother has become a subject, and not a British subject:

(4.) Where the father, or the mother being a widow, has obtained a certificate of re-admission to British nationality, every child of such father or mother who during infancy has become resident in the British dominions with such father or mother, shall be deemed to have resumed the position of a British subject to all intents.

(5.) Where the father, or the mother being a widow, has obtained a certificate of naturalization in the United Kingdom, every child of such father or mother who during infancy has become resident with such father or mother in any part of the United Kingdom, shall be deemed to be a naturalized British subject.

Supplemental Provisions.

Regulations as to registration.

11. One of Her Majesty's principal Secretaries of State may by regulation provide for the following matters:—

(1.) The form and registration of declarations of British nationality:

(2.) The form and registration of certificates of naturalization in the United Kingdom:

(3.) The form and registration of certificates of re-admission to British nationality:

(4.) The form and registration of declarations of alienage:

(5.) The registration by Officers in the Diplomatic or Consular service of Her Majesty of the births and deaths of British subjects who may be born or die out of Her Majesty's dominions, and of the marriages of persons married at any of Her Majesty's Embassies or Legations:

(6.) The transmission to the United Kingdom for the purpose of registration or safe keeping, or of being produced as evidence of any declarations or certificates made in pursuance of this Act out of the United Kingdom, or of any copies of such declarations or certificates, also of copies of entries contained in any register kept out of the United Kingdom in pursuance of or for the purpose of carrying into effect the provisions of this Act:

(7.) With the consent of the Treasury the imposition and application of fees in respect of any registration authorized to be made by this Act, and in respect of the making any declaration or the grant of any certificate authorized to be made or granted by this Act.

The said Secretary of State, by a further regulation, may repeal, alter, or add to any regulation previously made by him in pursuance of this section.

Any regulation made by the said Secretary of State in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if it had been enacted in this Act, but shall not so far as respects the imposition of fees be in force in any British possession, and shall not, so far as respects any other matter, be in force in any British possession in which any Act or Ordinance to the contrary of or inconsistent with any such direction may for the time being be in force.

Regulations as to evidence.

12. The following regulations shall be made with respect to evidence under this Act:—

(1.) Any declaration authorized to be made under this Act may be proved in any legal proceeding by the production of the original declaration, or of any copy thereof certified to be a true copy by one of Her Majesty's principal Secretaries of State, or by any person authorized by regulations of one of Her Majesty's principal Secretaries of State to give certified copies of such declaration, and the production of such declaration or copy shall be evidence of the person therein named as declarant having made the same at the date in the said declaration mentioned:

(2.) A certificate of naturalization may be proved in any legal proceeding by the production of the original certificate, or of any copy thereof certified to be a true copy by one of Her Majesty's principal Secretaries of State, or by any person authorized by regulations of one of Her Majesty's principal Secretaries of State to give certified copies of such certificate:

(3.) A certificate of re-admission to British nationality may be proved in any legal proceeding by the production of the original certificate, or of any copy thereof certified to be a true copy by one of Her Majesty's principal Secretaries of State, or by any person authorized by regulations of one of Her Majesty's principal Secretaries of State to give certified copies of such certificate:

(4). Entries in any register authorized to be made in pursuance of this Act shall be proved by such copies and certified in such manner as may be directed by one of Her Majesty's principal Secretaries of State, and the copies of such entries shall be evidence of any matters by this Act or by any regulation of the said Secretary of State authorized to be inserted in the register:

(5.) The Documentary Evidence Act, 1868, shall apply to any regulation made by a Secretary of State, in pursuance of or for the purpose of carrying into effect any of the provisions of this Act.

Miscellaneous.

Saving of letters of denization.

13. Nothing in this Act contained shall affect the grant of letters of denization by Her Majesty.

Saving as to British ships.

14. Nothing in this Act contained shall qualify an alien to be the owner of a British ship.

Saving of allegiance prior to expatriation.

15. Where any British subject has in pursuance of this Act become an alien, he shall not thereby be discharged from any liability in respect of any acts done before the date of his so becoming an alien.

16. All laws, statutes, and ordinances which may be duly made by the legislature of any British possession for imparting to any person the privileges, or any of the privileges, of naturalization, to be enjoyed by such person within the limits of such possession, shall within such limits have the authority of law, but shall be subject to be confirmed or disallowed by Her Majesty in the same manner, and subject to the same rules in and subject to which Her Majesty has power to confirm or disallow any other laws, statutes, or ordinances in that possession.

Power of Colonies to legislate with respect to naturalization.

Definition of terms.

17. In this Act, if not inconsistent with the context or subject-matter thereof,—

"Disability" shall mean the status of being an infant, lunatic, idiot, or married woman:

"British possession" shall mean any colony, plantation, island, territory, or settlement within Her Majesty's dominions, and not within the United Kingdom, and all territories and places under one legislature are deemed to be one British possession for the purposes of this Act:

"The Governor of any British possession" shall include any person exercising the chief authority in such possession:

"Officer in the Diplomatic Service of Her Majesty" shall mean any Ambassador, Minister or Chargé d'Affaires, or Secretary of Legation, or any person appointed by such Ambassador, Minister, Chargé d'Affaires, or Secretary of Legation to execute any duties imposed by this Act on an Officer in the Diplomatic Service of Her Majesty:

"Officer in the Consular Service of Her Majesty" shall mean and include Consul General, Consul, Vice-Consul, and Consular Agent, and any person for the time being discharging the duties of Consul General, Consul, Vice-Consul, and Consular Agent.

Repeal of Acts mentioned in Schedule.

18. The several Acts set forth in the first and second parts of the schedule annexed hereto shall be wholly repealed, and the Acts set forth in the third part of the said schedule shall be repealed to the extent therein mentioned; provided that the repeal enacted in this Act shall not affect—

Repeal of Acts.

(1.) Any right acquired or thing done before the passing of this Act:

(2.) Any liability accruing before the passing of this Act:

(3.) Any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before the passing of this Act:

(4.) The institution of any investigation or legal proceeding or any other remedy for ascertaining or enforcing any such liability, penalty, forfeiture, or punishment as aforesaid.

SCHEDULE.

Note.—Reference is made to the repeal of the "whole Act" where portions have been repealed before, in order to preclude henceforth the necessity of looking back to previous Acts.

This Schedule, so far as respects Acts prior to the reign of George the Second, other than Acts of the Irish Parliament, refers to the edition prepared under the direction of the Record Commission, intituled "The Statutes of the Realm; printed by command of His Majesty King George the "Third, in pursuance of an Address of the House of Commons of Great Britain. From original "Records and authentic Manuscripts."

PART I.

Acts wholly repealed, other than Acts of the Irish Parliament.

Date.	Title.
7 Jas. 1, c. 2	An Act that all such as are to be naturalized or restored in blood shall first receive the sacrament of the Lord's Supper, and the oath of allegiance and the oath of supremacy.

11 Will. 3, c. 6,* ...	... An Act to enable His Majesty's natural-born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.
13 Geo. 2, c. 7 ...	... An Act for naturalizing such foreign Protestants and others therein mentioned as are settled or shall settle in any of His Majesty's Colonies in America.
20 Geo. 2, c. 44 ...	... An Act to extend the provisions of an Act made in the thirteenth year of His present Majesty's reign, intituled "An Act for "naturalizing foreign Protestants and others therein mentioned, "as are settled or shall settle in any of His Majesty's colonies "in America, to other foreign Protestants who conscientiously "scruple the taking of an oath."
13 Geo. 3, c. 25 ...	... An Act to explain two Acts of Parliament, one of the thirteenth year of the reign of His late Majesty, "for naturalizing such "foreign Protestants and others, as are settled or shall settle in "any of His Majesty's colonies in America," and the other of the second year of the reign of His present Majesty, "for "naturalizing such foreign Protestants as have served or shall "serve as Officers or Soldiers in His Majesty's Royal American "Regiment, or as Engineers in America."
14 Geo. 3, c. 84 ...	... An Act to prevent certain inconveniences that may happen by Bills of Naturalization.
16 Geo. 3, c. 52 ...	... An Act to declare His Majesty's natural-born subjects inheritable to the estates of their ancestors, whether lineal or collateral, in that part of Great Britain called Scotland, notwithstanding their father or mother were aliens.
6 Geo. 4, c. 67 ...	... An Act to alter and amend an Act passed in the seventh year of the reign of His Majesty King James the First, intituled "An Act "that all such as are to be naturalized or restored in blood shall "first receive the sacrament of the Lord's Supper and the oath of "allegiance and the oath of supremacy."
7 and 8 Vict., c. 66 ...	... An Act to amend the laws relating to aliens.
10 and 11 Vict., c. 83	... An Act for the naturalization of aliens.

PART II.

Acts of the Irish Parliament wholly repealed.

Date.	Title.
14 and 15 Chas. 2, c. 13 ...	An Act for encouraging Protestant strangers and other to inhabit and plant in the kingdom of Ireland.
2 Anne, c. 14. ...	... An Act for naturalizing of all Protestant strangers in this kingdom.
19 and 20 Geo. 3, c. 29. ...	An Act for naturalizing such foreign merchants, traders, artificers, artizans, manufacturers, workmen, seamen, farmers, and others as shall settle in this kingdom.
23 and 24 Geo. 3, c. 38 ...	An Act for extending the provisions of an Act passed in this kingdom in the nineteenth and twentieth years of His Majesty's reign, intituled "An Act for naturalizing such foreign merchants, "traders, artificers, artizans, manufacturers, workmen, seamen, "farmers, and others as shall settle in this kingdom."
36 Geo. 3, c. 48 ...	... An Act to explain and amend an Act, intituled "An Act for "naturalizing such foreign merchants, traders, artificers, artizans, "manufacturers, workmen, seamen, farmers, and others who "shall settle in this kingdom."

* 11 and 12 Wm. 3 (Ruff)

PART III.

ACTS PARTIALLY REPEALED.

		Extent of repeal.
4 Geo. 1, c. 9 ... ... (Act of Irish Parliament.)	An Act for reviving, continuing, and amending several statutes made in this kingdom heretofore temporary.	So far as it makes perpetual the Act of 2 Anne, c. 14.
6 Geo. 4, c. 50	An Act for consolidating and amending the laws relative to Jurors and Juries.	The whole of Sect. 47.
3 and 4 Will. 4, c. 91 ...	An Act consolidating and amending the laws relating to Jurors and Juries in Ireland.	The whole of Sect. 37.

No. 16. ORDER THEREON, 13th October 1870, No. 318.

Ordered that the foregoing Despatch, and the papers received with it, be published in three alternate issues of the *Fort Saint George Gazette*, for general information.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 17. Read the following letter from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, to the Chief Secretary to Government, Fort Saint George, dated Madras, 8th October 1870, No. 8:—

In their Order, No. 273, of the 29th August 1870, the Government were good enough to sanction the further employment of two additional Persian Clerks in the Office of the Government Agent at Chepauk till the 15th ultimo. I was assured that the accounts to be prepared from the Carnatic records would be completed within that time, but I regret to state that these accounts have not yet been submitted to me.

2. It must be admitted that the preparation of them is attended with much difficulty, as in many instances the amounts due to the Sircar servants can only be ascertained after an examination of the daily cash accounts, running over a period of eighteen months.

3. I am positively assured by G. Ramakistnaya, the Record-keeper, that all the accounts required shall be produced before me within the current month. I find that he has been keeping on the Clerks in question at his own expense, being apparently ashamed to make repeated applications for an extension of their services; but, if really required, it is only right that their pay should, as heretofore, be debited to this Commission.

4. I have, therefore, the honour to request that their further employment may be sanctioned till the end of the current month. One of them will from this date be employed in my own Office to translate Persian accounts.

5. I have availed myself of the discretionary power granted me by Government in paragraphs 5 and 6 of their Order, No. 257, of the 18th August 1870, and have employed one additional Clerk from the 1st instant, on Rupees 30 per mensem, to aid in calculating interest, &c.

No. 18. ORDER THEREON, 14th October 1870, No. 323.

The arrangements detailed in the letter above recorded are sanctioned.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 19. Read the following letter from A. MACGREGOR, Esq., Magistrate of Malabar, to the Chief Secretary to Government, Fort Saint George, dated Calicut, 16th September 1870, No. 90 :—

I have the honour to forward, for your information, a copy of a report,* made by the Head Assistant Magistrate, relative to the charge preferred by the Dewan of Cochin in his letter to the Resident, dated 13th October 1869, against the four individuals named in the margin.

* Dated 14th February 1870, No. 89.

1. Itty Panghy Achen.
2. Kungi Achen.
3. Catampilly Nair.
4. Palisherry Shamoo Nair.

2. These individuals were alleged to have entered Cochin territory on the 24th September with a body of armed men; set fire to a wooden shed situated therein called "Ooliapara Srambi;" forcibly removed certain teak logs from Cochin territory into British territory; and fired shots at the Cochin officials.

3. The object of this outrage is alleged to have been to secure possession of certain teak logs, some of which the Cochin authorities had the previous day removed from the western bank of a stream called Oolipara Tode to a spot in the Cochin territory, half a mile eastward into Cochin territory, and the remainder of which had been left on the bank of the stream.

4. The Head Assistant Magistrate visited the spot, and examined the witnesses tendered on behalf of the Cochin authorities in support of these charges.

5. As regards the alleged burning of the Srambi, there was literally no evidence at all. No one professed to know how it occurred.

6. Three witnesses deposed to guns having been fired by Itty Panghy Achens' party. The Forest Accountant of Cochin stated they were fired in the air.

7. The Cochin Duffadar says, "there were 500 people assembled. They fired some guns, and we then approached them to settle the matter amicably," and a Cochin peon states merely that "guns were fired."

8. On this evidence it can hardly be maintained that any attempt was made to shoot any one.

9. As to the charge against Itty Panghy Achen that he entered Cochin territory with a large body of men and forcibly carried away certain logs of timber, the facts are thus described by the Cochin Forest authorities. It should be remarked, in the first place, that it is admitted on all hands that the Oolipara Tode divides Cochin from British territory, the former lying east and the latter west of the stream.

10. They say that they found 110 teak logs lying on the western bank of the stream; that, believing them to have been cut in the Cochin Forest, they stamped them with the Government mark, dragged fifty of them across the stream to a spot some distance to the east; and that, when they returned next day to remove the remainder, they found Itty Panghy Achen dragging back those that they had already moved, that he persisted in doing so, and prevented them from removing the others.

11. When it is considered that the western bank of the stream where the logs were first found is British territory and the private property of Itty Panghy Achen, it must be admitted that this individual was perfectly justified in what he is alleged to have done.

12. Of the 500 men said to have invaded Cochin territory, only one man was recognised: he was only recognised by one witness, and is not one of the accused parties.

13. None of the witnesses saw Itty Panghy Achen, who is described as the leader, and who must have been well-known by sight to most of them.

14. Under Section 13, Act VII, I beg to recommend that the accused parties against whom not a particle of evidence has been adduced be discharged.

15. I enclose the documents relating to a counter-charge preferred by Itty Panghy Achen.

16. There is strong evidence recorded in the depositions in that case to show that the elephant driver was seized by the Cochin authorities in British territory and carried into Cochin territory.

17. This occurred on the 27th September, and the unfortunate individual was retained in custody until February when he was released by the Zillah Court of Trichoor.

18. The Head Assistant proposes that the extradition of the parties implicated should be demanded from the Cochin authorities, but I hardly think that this is necessary. The case, however, accounts for the false reports of the Cochin authorities on which the requisition to Government was based.

19. On carefully searching the records, I find that this is not the first time that an outrage of this description has occurred; for, at the very same spot, in 1848, Mr. Robinson, the then Head Assistant, reported that the British merchants encamped on the west bank of the Oolipara Tode were attacked by a powerful body of Cochin subjects accompanied by sepoys, &c. Then as now the spot was admitted to be British territory, and Mr. Robinson, after visiting the place with the Cochin Conservator of Forests, writes: "The latter admitted that there was no intention to interfere with our merchants encamped on the west of the nullah." At that time the forests of the eastern bank were disputed between this district and Cochin, and after a long correspondence the Government finally resolved to relinquish the claim and adopt the settlement by the Boundary Commissioners of 1815. The decision is contained in G. O., 26th February 1853.

20. Though at the point where the actual collision occurred there is no doubt as to the boundary, it seems that up stream to the south of the Oolipara Rock it is uncertain, the stream dividing into two. The British claim the more easterly of

the two which actually flows over the rock; the Cochin authorities claim the western branch, which flows in at the foot of the rock. Mr. Robinson in his report states definitely that the line claimed by Cochin was the Oolipara Tode, which he describes as "the mountain torrent which drains the valley and passing in its course over the Oolipara rock seems with the other local and more specific names to bear the general appellation of the Oolipara Tode."

21. Unfortunately no survey or map was appended to the G. O. deciding the boundary; but, as Mr. Robinson inspected the spot carefully with the Cochin Conservator, his definition, which clearly points to the more easterly stream, should, I think, be accepted, especially as the relinquishment by Government of their claims was based on his report.

22. A short time ago the Board of Revenue called for a report as to whether any special measures were necessary for defining the boundaries of Foreign territory in anticipation of the extension to this district of the operations of the Revenue Survey, and I then stated that some inquiry would be necessary on the Cochin frontier, and suggested that the Head Assistant would be able to investigate the matter in communication with an Officer deputed by the Cochin authorities. In addition to the case now under discussion a dispute is pending which involves forest land further to the east.

23. The groundwork of the investigation must, of course, be the Memorandum draw up by the Boundary Commissioners in 1815; but, as in some instances the landmarks named are trees which have since disappeared, there will be room for doubt.

24. The investigation of this case was completed at the end of February, but it was deemed essential to compare the map known as Captain Arthur's Map, which is relied on by the Cochin authorities. After a fruitless search in the Board of Revenue Office, application was made to the Resident of Cochin, under date March 30th, but in spite of reminders the map was not received till this month. The map shows clearly that the Cochin Government do not claim anything west of the Oolipara Tode.

25. I trust that Government will insist on such measures being taken by the Cochin Government, with reference to the conduct of their subordinates, as will prevent the recurrence of an outrage such as the seizure of the timber and kidnapping of the elephant driver.

26. As regards the disposal of the timber there is nothing to show that it was cut in Cochin territory. It should, I consider, be made over to Itty Panghy Achen. If it was cut in Cochin, the Forest authorities have only themselves to blame for not at once applying to our Police

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From the Acting Head Assistant Magistrate of Malabar, to the Officiating Magistrate of Malabar, dated Palghaut, 14th February 1870, No. 89.

In continuation of Mr. Cameron's letter of the 22nd December, No. 684, I have the honour to report that the Cochin subjects, supposed to be able to give evidence in support of the charge made against Itty Panghy Achen and others for offences committed in Cochin territory, near Warrakancherry, appeared before me on the 7th instant, and gave depositions, copies of which I forward

for your information. Chilambara Pillay, Parwatycaren, of Nemarry, whose evidence would have been valuable, was prevented, I was informed, from appearing by sickness. Mr. Stevenson, Conservator of Forests, Cochin, was present during the examination.

2. You will observe that not the slightest case has been made out against any British subject. Of the 500 people who are alleged to have invaded Cochin territory, only one person was recognised, and that only by the witness Murugan Nair, and the charge of mischief by fire is clearly unsustainable. When I visited the place in November last not a word was said by any of the Cochin officials about the place to the north-east of their Srambi, where they left the fifty trees they had taken from Itty Panghy Achen, and from whence he is alleged to have subsequently removed them; and I am of opinion that they only continue to adhere of this portion of their original story, because, were they not to do so, they would be tacitly admitting that they had kidnapped the elephant driver, Kundappan, from British territory.

3. I see nothing in the evidence on the Cochin side to induce me to alter; but, on the other hand, much to confirm the opinions I expressed in my letter of the 20th November last, No. 625.

P. S.—Since writing the above I have received your letter of the 9th instant, No. 297-D, forwarding copy of the Dewan's letter of the 29th January, No. 69, together with the depositions submitted by him. Several of the parties who gave them were not produced before me; but from the style of their statements I think it very unlikely they would have stood the test of cross-examination any better than those whom I did examine. On the evidence now before me, I am not prepared to admit that the Srambi erected by Itty Panghy Achen was on Cochin soil. The boundary at this place is admitted to be the Oolipara Tode and the Oolipara Rock, and as far up as the rock there is no dispute. Here we find the two streamlets referred to in my previous letter. The more easterly stream, which appears to be the more important one of the two, flows OVER the rock; the more westerly falls in at its base. The Amshom authorities assure me the land between them belongs to Warrakancherry, and I think better evidence to the contrary must be shown than a mere reference to Captain Arthur's map, the correctness of which, where the Warrakancherry frontier is concerned, has never been admitted, I believe, by an official in Malabar. The Dewan further refers to the fact that a number of mallets used by carpenters were found to the west of the Oolipara Tode, and, therefore, on the British side. When I visited the place in November and inspected the trees I found that Panghy Achen's name and stamp had been cut long before, and were then embrowned by age, and that these had been chipped off and the Cochin Sirkar stamp impressed and the name "Potundy" cut on many of them instead. The inference is obvious.

No. 20. ORDER THEREON, 15th October 1870, No. 324.

In the foregoing letter, the Magistrate of Malabar reports the result of the inquiry held by the Head Assistant Magistrate in pursuance of the provisions of Act No. VII of 1854, and under the Order of Government, dated 2nd November 1869, No. 1789 (Judicial Department), in the matter of the charges of unlawful assembly, arson, and robbery preferred by the authorities of the Cochin Sirkar against the four persons, subjects of the British Government, whose names are entered in the margin.

Itty Panghy Achen.
Kungi Achen.
Catampilly Nair.
Palisherry Shamoo Nair.

2. No evidence has been adduced in support of these charges, and the Magistrate, concurring with the Head Assistant Magistrate, recommends that the accused parties be discharged.

3. The Government observe that the course which should have been adopted immediately upon the finding of the Magistrate who held the inquiry, that no case

whatever was made out against the persons accused, was to have released them from custody, without any reference for the orders of Government, such as that which has been made in the present instance. This is clearly provided for by Section 7 of the Act above referred to, which sets forth that "if, after making such inquiry, the circumstances shall not, in the judgment of the Magistrate, be sufficient to warrant either the committal or the holding to bail of the prisoner, he shall be discharged."

4. The attention of the Magistrate will be called to this provision of the law, and a telegram will be sent to him directing the immediate release of the four individuals above named.

5. In paragraphs 15 to 18 of his letter, Mr. Macgregor brings to notice the subject of the counter-charges preferred by Itty Panghy Achen, one of the accused, against certain native officials of the Cochin Sirkar, of having trespassed on his property, situated in British territory, accompanied by a large body of men and a number of elephants; of having forcibly carried away certain timber therefrom; and of having illegally arrested one of his servants, an elephant driver. Mr. Macgregor remarks that "there is strong evidence recorded in the depositions in the case to show that the elephant driver was seized by the Cochin authorities in British territory and carried into Cochin territory;" that "this occurred on the 27th September," and that "the unfortunate individual was retained in custody until February, when he was released by the Zillah Court of Trichoor."

6. The Resident in Travancore and Cochin will be requested to address the Dewan of the latter State on this subject, and to report the result of his communication, submitting at the same time a copy of the finding or decision of the Zillah Court of Trichoor in this case, together with an explanation as to the very lengthened period for which the individual referred to was detained in custody.

7. Paragraphs 19 to 23 of Mr. Macgregor's letter will be communicated to the Board of Revenue through the Revenue Department, and the Board will be requested to submit to Government their views on the question as to the expediency of adopting special measures for defining the boundaries on the frontiers of Travancore and Cochin, in anticipation of the extension of the operations of the Revenue Survey Department to Malabar.

8. The Government approve of the suggestion made by Mr. Macgregor in the last paragraph of his letter, with regard to the disposal of the logs of timber which were removed back from Cochin to British territory, and they resolve, accordingly, to direct that it be carried into effect.

9. Ordered that the following telegram be despatched to the Magistrate of Malabar with reference to paragraph 4 of these Proceedings :—

"Your letter, No. 90, of 16th September. Your attention is drawn to Section 7, Act VII, of 1854. Government direct that the accused parties be immediately released under that Section."

(Signed) R. S. ELLIS,
Chief Secretary.

No. 21. Read the following letter from the Officiating Junior Under Secretary to the Government of India, to the Chief Secretary to Government, Fort Saint George, dated Simla, 9th September 1870, No. 1650-G:—

Foreign Department.—General.

I have the honour to acknowledge the receipt of your letter, No. 215, dated the 19th July last, enclosing a petition, to the address of Her Majesty's Secretary of State for India, from Enayeth-oon-Nissa Begum, and others, praying for compensation in respect of a house which belonged to the late Nawab of the Carnatic.

2. In reply, I am directed to state that His Excellency the Viceroy and Governor-General in Council is unable to forward to Her Majesty's Government a memorial which is characterized by such intemperate language as the one under consideration. I am also to remark that, in the opinion of His Excellency in Council, the petitioners have no claim to any consideration beyond that which they have already received.

3. I am to request that the petition, which is enclosed herewith, may be returned to its authors, and that they may be informed of the present decision.

No. 22. ORDER THEREON, 15th October 1870, No. 325.

The memorial will be returned to Enayeth-oon-Nissa Begum, through the Government Agent, Chepauk, with an intimation that the Governor-General in Council declines to forward, to the Secretary of State, a memorial couched in such intemperate language, and is also of opinion that the memorialists have no claim to consideration beyond that which they have already received.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 23. Read the following letter from the Officer in charge of the Stipend Pay Office, Vellore, to the Chief Secretary to Government, Fort Saint George, dated Vellore, 14th September 1870, No. 69:—

I have the honour to forward the Budget Estimate of this office, in duplicate, for the year ending 31st March 1872.

No. 24. ORDER THEREON, 19th October 1870, No. 328.

The Budget Estimate of the Stipend Pay Office, Vellore, for 1871-72 amounts to Rupees 2,682. It is less than the estimate* for the current year by Rupees 318, consequent on a reduction to that extent of the Mahal Establishment at Vellore.

* Rupees 3,000.

2. The amount estimated for contingencies is Rupees 90, equivalent to the grant for the current year; but, as the expenditure under that head for 1868-69 did not exceed Rupees 38, the Government are of opinion that the allowance for 1871-72 may be reduced to Rupees 58. The aggregate amount of the estimate will be fixed at Rupees 2,650.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 25. Read the following letter from the Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 5th October 1870, No. 273:—

I have the honour to forward, herewith, petition addressed to me on behalf of the children of the late Shurf-oon-Nissa Begum, who was a nicka daughter of Shah Sawar Jung, who was a nicka son of the Nabob Oomdut-ool-Omrah, who was son of the Nabob Mahomed Ali. Shurf-oon-Nissa Begum received a stipend of Rupees 83-5-4. She has left one son and two daughters, all young. They claim a continuation to them of their mother's stipend, as being the principal representatives of their grandfather, Shah Sawar Jung. I do not consider this claim well-founded, for the mother of petitioners was only a nicka daughter, neither is it customary to continue the whole of the stipend of a deceased stipendiary; but I consider that a third of the stipend of the deceased may be continued to petitioners from the date of her death. Should Government be pleased to approve of this recommendation, the respective shares of the three petitioners will be as follow:—

	RS.	A.	P.
Abdool Hady Saib, Shadee son	13	14	0
Fatimah Begum, do. daughter	6	15	3
Raheem-oon-Nissa Begum, Shadee daughter... ...	6	15	2
Total...	27	12	5

No. 26. ORDER THEREON, 19th October 1870, No. 329.

The Government sanction, as a special case, the continuance of one-third of the stipend of Shurf-oon-Nissa Begum to her three children, in the proportions recommended by the Government Agent, Chepauk.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers:—

No. 27. Petition from AMAN BEE, widow of the late Hamed Ally Beg, a Stipendiary, residing at Vellore, dated 11th August 1870.

Represents that her husband, who was enjoying a stipend of Rupees 11 a month, died on the 19th February last, leaving her in a destitute condition; that she is a blind old woman of 70 years of age; that she has been suffering much for want of means; that the Officer in charge of the Stipend Pay Office, to whom she applied for the grant of a small allowance, declined to do so; submits the endorsement of the said Officer; and prays that a small allowance may be granted her.

No. 1793.

Referred to the Officer in charge of the Stipend Pay Office, Vellore, for report as to petitioner's circumstances, &c.

(By order.)
(Signed) H. E. STOKES,
Under Secy. to Govt.

13th September 1870.

No. 27-A. From the Officer in charge of the Stipend Pay Office, Vellore, to the Chief Secretary to Government, Fort Saint George, dated Vellore, 27th September 1870, No. 72.

With reference to the endorsement on Government Petition, No. 1793 of 1870, Political Department, dated 13th instant, from Aman Bee, widow of Hamed Ally Beg, a Two-Lakh Fund pensioner, who died on the 19th February last, referred to me for report, I have the honour to inform you that Zeibulnissah, the mother of Hamed Ally Beg, died on the 15th May 1851, and, on the 28th idem, the Officer then in charge of this office did recommend to Government that a pension of 11 Rupees (being the amount that was monthly allowed by Zeibulnissah to her son Hamed Ally Beg, out of her stipend, for the support of himself and family) should be granted to Hamed Ally Beg, as he was, from advanced age, unable to earn a livelihood, to which recommendation the Government were pleased to give their sanction (*vide* Extracts Minutes of Consultation, dated 17th June and 15th July 1851), with the understanding that the allowance was to lapse to Government on the death of Hamed Ally Beg.

2. Having instituted every inquiry regarding petitioner Aman Bee, I learn that she is about 70 years of age, very infirm, and is partially blind; she has no children or kindred of her own, and is, at the present time, a dependent on the bounty of a nephew of her late husband, a pensioner on the Two-Lakh Fund, on the receipt of a monthly stipend of Rupees 4, who is encumbered with a large family of his own.

3. Under the peculiar circumstances of the case, I would beg to recommend that a pension of Rupees 5 per mensem, out of Hamed Ally Beg's lapsed allowance of 11 Rupees, may be granted to Aman Bee for life; the payment to commence from the 19th February 1870, the date of Hamed Ally Beg's demise.

No. 28. ORDER THEREON, 19th October 1870, No. 330.

The Government are pleased to sanction, as a special case, a compassionate allowance of 5 Rupees per mensem, out of the lapsed stipend of Hamed Ally Beg, to his widow Aman Bee, who is represented as very old, and entirely destitute.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 29. Read the following letter from the Acting Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 10th October 1870, No. 288:—

I have the honour to forward a petition addressed to Colonel R. S. Wilson, by Carnatic Stipendiary, No. 375-D, Amathool Fatimah Begum, who, having obtained permission by G. O., No. 306, dated 24th ultimo, to commute her stipend, but not having as yet received the bonus amount, is now desirous of being permitted to cancel the commutation and remain a stipendiary. I beg to submit her request for the consideration of Government. It has been explained to this stipendiary that her request can only be received as a matter of favour and not of right.

No. 30. ORDER THEREON, 21st October 1870, No. 333.

The Governor in Council is pleased to permit Amathool Fatimah Begum, No. 375-D, to continue to draw her stipend of Rupees 5 per mensem, and directs the cancelment of the sanction accorded in Order, dated the 24th September 1870, No. 306, for the commutation of her stipend.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 31. From Lieut.-Colonel C. HERBERT, Officiating Political Agent in Turkish Arabia, to the Secretary to Government, Fort Saint George, dated Baghdad, 30th July 1870, No. 48.

I have the honour to forward, herewith, for the information of the Right Honourable the Governor in Council, a letter, in original, with translation, addressed to me by Meerza Mahomed Hussain Khan, Carnatic Stipendiary No. 139, announcing the death, on the 30th June last, of his brother, Kazem Hussain Khan, Carnatic Stipendiary No. 140, and praying that the pension, Rupees 66-4-0, granted by the Madras Government to the deceased, may be continued to his only son, Agha Mahomed Ali, five years' old, which prayer I beg to recommend to the favourable consideration of His Excellency in Council.

2. I have paid to Meerza Mahomed Hussain Khan, for the support of the son, Agha Mahomed Ali, the allowance of the deceased for the month of June last, and have charged the amount, as usual, in my cash account rendered to Calcutta for the present month.

3. All further payments on this account have been discontinued until I receive instructions from Government as to the disposal of the pension enjoyed by the deceased.

Translation.

To

THE POLITICAL AGENT IN TURKISH ARABIA,
Baghdad.

A. C.—I beg to inform you that my brother, Kazem Hussain Khan, grandson of Nawab Wallajah, and a Carnatic pensioner No. 140, who drew from the Treasury of the British Residency at Baghdad Rupees 66-4-0 per mensem, died on the 30th June 1870, corresponding with the last day of Rebil Awul, leaving behind him an only son, by the name of Agha Mahomed Ali, nearly five years of age.

2. The deceased, owing to the smallness of his pension, has left no property; and, as to my own circumstances, it is well known to you how far I always strive to maintain an honourable life among people of my class and subjects of foreign Governments in this strange country with the small pension I receive from Government, though it does not suffice, and, indeed, hardly, and with great difficulty, supplies the means of subsistence of my large family, consisting of many children and dependents. Being, as we are, cast in such a remote and foreign country, I, in anticipation of merciful and favourable consideration of Government in our behalf, thus venture to submit the case for its notice, and remind you of my own circumstance, which you know, and beg respectfully to request that, of your goodness, you will be pleased to communicate our case for the consideration of

the Government of Madras in any way you may deem fit and favourable, with a recommendation that the pension which my deceased brother was drawing may be continued to his son, the said Agha Mahomed Ali, intact for his subsistence, and we, in duty bound, shall ever pray for the everlasting duration of your exalted Government and for long life and happiness to you.

BAGHDAD,
19th Rebil Akher 1287 *A.H.*

(Signed) MAHOMED HUSSAIN,
Son of Nawab Ghoolam Mahomed Ali Khan.

Seal.

Referred to the Government Agent, Chepauk, for report.

(Signed) H. E. STOKES,
Under Secy. to Govt.

No. 32. No. 263.

Report called for by Government Endorsement on letter, dated 30th July 1870, No. 48, addressed by Lieut.-Colonel C. Herbert, Officiating Political Agent in Turkish Arabia, to the Secretary to the Government of Fort Saint George, concerning petition of Mahomed Hussain, son of Ghoolam Mahomed Khan.

The prayer of the petition under report is that the stipend of a deceased stipendiary may be continued to his son. The deceased was called Kazem Hussain Khan. He was a Shadee son of Ghoolam Mahomed Khan, who was a Shadee son of Hissam-oo-Dowlah, who was a Shadee son of Syf-ool-Moolk, who was a Shadee son of the Nawab Mahomed Ali. It will be seen, therefore, that the person for whom a stipend is now claimed is a great-great-great-grandson of the Nawab. He has, therefore, under the Rules, no claim to any continuation of stipend.

CHEPAUK,
30th September 1870.

(Signed) R. S. WILSON,
Government Agent.

To the Chief Secretary to Government, Fort Saint George.

No. 33. ORDER THEREON, 21st October 1870, No. 334.

Under the circumstances represented by the Government Agent, Chepauk, in the letter above recorded, the Government consider that the pension drawn by the late Kazem Hussain Khan has lapsed.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 34. To the Lieut.-Colonel C. HERBERT, Officiating Political Agent in Turkish Arabia, dated Fort Saint George, 21st October 1870, No. 335.

Referring to your letter, dated the 30th July last, No. 48, I am directed to transmit, for your information, and for communication to Meerza Mahomed Hussain Khan, Carnatic Stipendiary, copy of the Proceedings of this Government, dated this day, No. 334.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 35. Read the following letter from the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 15th July 1870, No. 178:—

I have the honour to forward, herewith, the documents noted in the margin, and to make the following statement concerning them.

Petition from Moulvie Abdul Haleem, with two enclosures.

2. A person called Moulvie Abdul Rubb received from the Nawab of the Carnatic, Oomdut-ool-Oomrah, a Jaghire in the Arcot District. This was resumed by Government in the year 1802, and a life-pension of Rupees 175 per mensem was granted in lieu of it. Moulvie Abdul Rubb died in 1837, and his stipend lapsed. Government, however, were pleased to continue Rupees 140 of the allowance for the support of the eldest son (Moulvie Abdul Hakeem) and the rest of the family of the deceased. The share of Moulvie Abdul Hakeem was Rupees 93-5-4. The other members of the family all died prior to the year 1852: their stipends lapsed, and no continuations were made. The death of Moulvie Abdul Hakeem is now reported, and his family petition that they may continue to receive the above stipend, and also another stipend of Rupees 12-8-0, which was granted to the deceased in 1855.

E. M. C., 12th June 1838, No. 221.

3. Both the stipends, of which continuation is prayed for, were for life only.

4. As a general rule, I do not forward, for the consideration of Government, any petitions except such as appear well-founded. But, in the present case, the petitioners reside at a distance from Madras and in another Presidency. I do not doubt that, if I were to reject their petition merely of my own authority, they would then address Government direct, or, perhaps, petition the Government of India. I think it better, therefore, to lay the question before Government at once, to save time and unnecessary correspondence.

To the Right Honourable the GOVERNOR in COUNCIL,

&c., &c., &c.,

Fort Saint George.

Represents that His Holiness the Reverend Malikool Oolma Moulvie Abool Ayash Abdul Ally Mahomed was the grandfather of petitioner's father, and lived at Madras during the administration of His Gracious Highness the late Nawab Oomdut-ool-Oomrah; he was treated with great respect and honour and assisted in various ways by His Highness. That His Highness, irrespective of the various presents and gifts made to petitioner's grandfather, Abool Aish Mahomed Abdool Rubb, granted the village of Sittoor, attached to the Taluq of Mahomedpore, or Arcot, for his support and for the maintenance of his dependents, who were forty persons in number, as well as of a College and Convent established by his forefathers at Lucknow. A true copy of the Purwanna granted by His Highness for the Jaghire, and authenticated by the Officiating Magistrate at Lucknow, is heren enclosed for the inspection of Government, and the original of which is with the petitioner. That, on the 4th of June 1802, a pension of fifty pagodas was sanctioned by the Government of Madras to his said late grandfather on the authority of the above Purwanna, which allowance of Rupees 175 monthly, granted in lieu of Jaghire, was for a long time enjoyed by his grandfather at Madras, and was subsequently made payable from the Treasury at Benares, at the recommendation of His late Highness the Nawab, and afterwards from the Residency at Lucknow. That, on the demise of his grandfather, which took place on the 25th December 1837, one-third of the allowance, *i.e.*, Rupees 35,

lapsed to Government, and a reduced pension of Rupees 140 was continued by the Government to petitioner's father, Moulvie Abool Bakha Mahomed Abdul Hakeem (payable at the Lucknow Treasury), at the recommendation of His Highness Siraj-ool-Oomra Mahomed Azeemjah Bahadoor, on the strength of the above Purwanna of the Jaghire, for the support of his and his father's family. The original Extract from the Minutes of Consultation is with the petitioner, but a copy of the same is herewith forwarded for the perusal of the Government. That the said reduced pension was enjoyed by petitioner's father for a long time from the Resident's Treasury at Lucknow. That, after some time, Dr. Balfour, the then Government Agent at Chepauk, again reduced the pension, without any reason, by more than one-third, and continued only Rupees 93-5-4, and had it sanctioned by the Madras Government. This was communicated by an order to the Resident at Lucknow.

States that his late father was unable to appeal personally against it, and get his pension raised to its full extent, owing to the disturbances and mutiny that were then prevailing at India and some other reasons, and received the same without any remonstrance or discontent from the Treasury of Lucknow from the 19th of August 1854. Besides this, the monthly allowance of Rupees 12-8-0, which was enjoyed from the Sirkar of the late Nawab Ghoolam Ghouse Khan Bahadoor, was granted by Government as a Carnatic stipend and was made payable at Lucknow, and so your petitioner's father drew, monthly, Rupees 105-13-4 from the Lucknow Treasury on account of the above two pensions sanctioned by Government. That your petitioner's father applied the same to the expenses of his and his father's large family, and to the maintenance of students, fakheers, and travellers with great difficulty. That, as the amount of these two pensions was quite insufficient to meet his large expenses, &c., as the deceased had no other income or means, he was much involved into debts.

Reports the death of his father, which took place on the 26th May 1870. Adds that he left behind him his own family and the family of his late father without any means of support, together with a large debt. That petitioner, being the elder son of the deceased, submits his application, basing on the Deed of the Jaghire, soliciting the benevolence and justice of Government, for the continuance of the former stipend of Rupees 140, to be appropriated for the support of both the families, and the expenses of College and Travellers' Bungalow established by his forefathers, and also for liquidation of his debts, &c., and prays that orders be issued to the authorities of Lucknow for the payment of his paternal stipend, amounting to Rupees 140, without any reduction, which was granted by Government in consideration of the original grant of Jaghire, so that he may be enabled to support his and his father's families, and defray the expenses of the College and Convent of his ancestors, and discharge the debts left by his father.

Submits a detailed statement of the families and particulars of the expenses for Government's information, as the expenses and the number of the members of the families are now much increased than before.

List of the persons who are fed by the allowance of his late grandfather, which was made payable from the Treasury of Lucknow.

1 Petitioner, the elder son of the deceased.
1 Abool Ahya Mahomed Nayeem, the younger son of the deceased.
1 Shadee widow of the deceased, or mother of the petitioner.
2 Two daughters of deceased: one of them is a widow and without issue, and the other married and with issues.
2 Two daughters-in-law of the deceased.
2 Grandsons of the deceased, viz., sons and daughters of the sons of the deceased, nine in numbers.—[*Sic.*]
3 Servants and slaves 10.
3 Tutor of the school established by petitioner's father 1.
3 Servants of the Old College 10.
3 Fakheers of Convent and of Durgah 6.

Persons who are paid by allowance.

	RS.
Slave-girls and servants	10
Students of the College	20
Teachers do.	3
Fakheers of the Convent and of the Durgah	6
Widows and relatives who had no other one to take care of them but the petitioner's father	10
Expenses of the annual and daily ceremonies	250

Besides the expenses stated in the statement, there are several other urgent expenses of raiment, marriages, &c., of the dependents of the deceased and of the petitioner respectively. All these circumstances were stated for the information of Government.

N.B.—The final order which will be issued by Government on this application may be forwarded to him by post directly, for his information, after the perusal of this application and consideration of the case, so that he may be informed of it without waiting any longer for the same.

(Signed) MOULVIE ABOOL HAYA MAHOMED ABDUL HALEEM,
the elder son of the late Mahomed Abdul Hakeem,
grandson of Abool Aish, late Mahomed Abdul Rubb,
a Stipendiary of the Government, residing at Lucknow.

5th June 1870.

No. 36. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 21st October 1870, No. 336.

I am directed by His Excellency the Governor in Council to state that a report of the death, at Lucknow, of Moulvie Abdul Hakeem, a Carnatic Stipendiary in the enjoyment of pensions amounting to Rupees 105-13-4, has been received by this Government, together with a petition from his son, Abdul Haleem, praying for the continuance of the stipends for the support of his family.

2. In 1802, when the Jaghires granted by the Carnatic Nawabs subsequent to 1792 were resumed, pensions for life only being granted in lieu, the Jaghire of Sittoor, valued at Rupees 3,920, and granted in 1797 to a learned Mahomedan named Moulvie Abdul Rubb, was resumed, and the grantee received a life-pension of 50 Pagodas, or Rupees 175 per mensem. On his death in 1837, a reduced pension of 40 Pagodas, or Rupees 140, was continued, with the sanction of the Government of India, in the name of his son Abdul Hakeem, on the ground that similar treatment had been extended to the family of another Moulvie, the holder of a resumed Jaghire, who was pensioned at the same time and the same rate as Abdul Rubb. In 1852 it was ascertained that all the members of the family, except Abdul Hakeem, in whose name the pension stood, were dead, and his personal share being Rupees 93-5-4, this sum only was paid till 1858, when he was granted Rupees 12-8-0 in addition, on account of a separate allowance as a "Bekar" Stipendiary of the Carnatic Sirkar, which he had drawn till the last Nawab's death. This allowance was also a life-grant.

3. The family left by the deceased, as enumerated by the petitioner, is a large one, and, in consideration of the amount of the Jaghire resumed in 1802, and of the fact that the pension, though originally a life-grant, was continued to the son of the

Jaghiredar, His Excellency the Governor in Council requests the sanction of the Government of India for the continuance of a sum of Rupees 50 per mensem, as a charitable allowance, on the understanding that all allowance shall cease on the death of Abdul Haleem, whose life is the third from the original grantee.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 37. Read the following letter from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, to the Chief Secretary to Government, Fort Saint George, dated Madras, 11th October 1870, No. 9.

I have the honour, as directed in the Order of the Madras Government, No. 255, of the 18th August 1870, to submit the information, called for by the Government of India, as to when I can hope to bring my task to a conclusion, and regret that it has not been in my power to furnish an earlier reply. I have been so frequently disappointed in the production of the accounts from the Carnatic records, upon which the awards on the claims of the Sirkar servants depend, that I was unwilling to express an opinion until the preparation of the necessary accounts had been completed. This has been attended with considerable difficulty, as the Government are aware.

2. I have now good reason to believe that these accounts will all be submitted to me within the current month. The examination of the claimants as to their identity or, more frequently, their heirship, and the re-arrangement of the claims, with the calculations of interest, cannot occupy me less than two months. The payment of the amounts found due may be effected in two months more.

3. I have, therefore, reason to hope that the whole business may be concluded by the end of February next. It should, at least, it so appears to me now, be completed within the official year. It is, however, still impossible to fix on any date for certain.

4. The statement called for by the Government of India, as to the allotment of the fifteen lakhs, will be forwarded as early as practicable.

No. 38. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 21st October 1870, No. 337.

In continuation of my letter, dated the 18th August last, No. 256, I am directed to transmit copy of a communication* from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, in which he expresses a hope to bring his work to a conclusion by the end of February next, or within the current official year.

* Dated the 11th October 1870, No. 9.

2. The statement, showing the manner in which the sum of Rupees (15,00,000) fifteen lakhs was allotted, will, the Commissioner states, be forwarded as early as practicable.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 39. From the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 20th September 1870, No. 247.

I have the honour to forward the Agency Budget Estimate for 1871-72.

No. 40. From the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 30th September 1870, No. 265.

In reply to Memorandum, No. 41, Political Department, dated 26th September 1870, I have the honour to annex a statement of the average of the payments on account of commutation of pensions during the years 1867-68, 1868-69, and 1869-70. It will be seen by that statement that the amounts actually paid during the two latter years were smaller than the amounts budgeted for; but this is to be attributed to the fact that, in the course of those years, instructions were issued to this office restricting the amounts to be disbursed. Had it not been for those restrictions, the whole amount budgeted for would have been required; and, if the sum of Rupees 50,000 be sanctioned for the year 1871-72, there is no doubt that it will be expended.

2. With regard to the sum of Rupees 250, budgeted for under the head of "Contingent Expenses," I have the honour to explain that the item is intended to meet the expense of removing this office from its present situation to the building now being erected near the Revenue Board Office. The charge was made by authority.

Commutations.								Contingencies.						
Fuslies.	Estimated for.			Payments made.			Fuslies.	Estimated for			Payments made.			
	RS.	A.	P.	RS.	A.	P.		RS.	A.	P.	RS.	A.	P.	
1867-68 ...	50,000	0	0	49,498	0	0	1867-68 ...	50	0	0	34	0	0	
1868-69 ...	50,000	0	0	38,038	0	0	1868-69 ...	50	0	0	50	0	0	
1869-70 ...	50,000	0	0	8,096	0	0	1869-70 ...	50	0	0	46	0	0	
Total ...	... ...			95,632	0	0	... ...	... ...			130	0	0	
Average ...	... .			31,877	5	4	......	... ...			43	5	4	

CHEPAUK,
30*th September* 1870.

(Signed) R. S. WILSON,
Government Agent, Chepauk.

No. 41. ORDER THEREON, 25th October 1870, No. 338.

The Budget Estimate of the Government Agent at Chepauk for 1871-72 provides, under the head of "Allowances and Assignments under Treaties and Engagements," minor head "Territorial and Political Pensions," Rupees 5,78,799,

and, under "Political Agencies and Foreign Services," Rupees 13,892. Both sums are less than the estimates for the current year, but exceed the actuals for 1869-70.

2. Under "Territorial and Political Pensions," "Carnatic Stipends," there is a decrease of Rupees 16,806, but no explanation has been afforded on the subject. The payments in commutation of stipends in 1869-70 did not exceed Rupees 8,096. The estimate for 1870-71 has been fixed at Rupees 50,000, and the Government Agent thinks that, if a corresponding amount be sanctioned for 1871-72, there is no doubt it will be expended. The Government are not prepared to do this. They think that, in the present state of the finances, the commutations of stipends should be restricted; and that such restriction may be conveniently carried out is evident from not more than Rupees 8,096 having been paid in 1869-70. The sum of Rupees 25,000 will be allotted for the commutation of stipends in 1871-72, and the Government Agent directed to limit his recommendations to that amount. This will reduce the estimate from Rupees 5,78,799 to Rupees 5,53,799.

3. The allowance of Rupees 70 for two extra temporary clerks under "Establishment" will be disallowed. The work done by these men ought to be easily performed by the members of the permanent establishment, who should be required, if necessary, to work extra hours occasionally.

4. The proposed expenditure of Rupees 250 under "Contingencies" being dependent on the completion of the building referred to in the second of the letters above recorded, the Government are of opinion that it may be reduced to Rupees 100.

5. These reductions will reduce the estimate under "Political Agencies and Foreign Services" from Rupees 13,892 to Rupees 13,672. To the latter amount Rupees 69 will be added on account of work likely to be executed at the Government Printing Press.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 42. Read the following letter from the Collector and Special Agent, South Arcot, to the Chief Secretary to Government, Fort Saint George, dated Cuddalore, 10th October 1870, No. 115:—

I have the honour to forward, herewith, the Budget Estimate of the Special Agent's Department for the official year 1871-72.

No. 43. ORDER THEREON, 25th October 1870, No. 339.

The details of the Budget Estimate of the Special Agent's Department for the year 1871-72 being the same as in the estimate for the current year, the charge of Rupees 1,505 is passed.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers:—

No. 44. Petition from MAHOMED ALLY KHAN, to His Excellency the Governor in Council, Fort Saint George, dated Madras, — June 1870.

ABSTRACT.—States that he is the nephew of Enayeth-oon-Nissa Begum, and that he was supported by her till her death, when her stipend lapsed to Government and he was left without any means of support. Prays for the grant to him of an allowance of 100 Rupees or for a share of the stipends that had been granted to his parents.

Referred to the Government Agent, Chepauk, for report.

OOTACAMUND, (Signed) R. S. ELLIS,
22nd *July* 1870. *Chief Secretary.*

No. 211.

No. 45. Report called for by Government endorsement, dated 22nd July 1870, on petition of Mahomed Ally Khan.

Petitioner prefers two claims: 1st, for the restoration to him of an allowance of Rupees 100 per mensem, which he drew during the lifetime of the late Enayeth-oon-Nissa Begum as a servant of the tomb of the said Begum's husband; 2nd, if that allowance be not restored, then petitioner prays that he may receive some share of the stipends formerly enjoyed by his father and maternal grandmother. He alleges that he received no share of those stipends on the death of their holders, because he was then in receipt of the above-mentioned allowance of Rupees 100 per mensem, and because it was then supposed that he would continue to draw that allowance for life. On the death of the Begum, however, the stipend from which that allowance was made lapsed, and petitioner, consequently, has now no support of any sort.

2. With regard to the first of these two claims, I consider it undeserving of any consideration. It has already been laid before Government* and before the Home authorities†, and has been rejected. Dr. Balfour, the then Chepauk Agent, reported on it at that time very fully, and his arguments appear to me conclusive.† I will, therefore, only remark that petitioner was a servant of Enayeth-oon-Nissa Begum; when that lady died, his employment ceased. These facts give him no claim whatsoever on Government.

* Government Agent's letter, No. 140, dated 1st October 1851, and G. O., 4th November 1851, No. 421.

† Government Agent's letter, No. 25, dated 17th February 1854, and the Honourable Court's Despatch, dated 18th October 1854, paragraph 17.

3. With regard to the other claim, it appears to be partly just. Petitioner's father (Kumr-ood-Deen Khan) died in 1828.‡ Rupees 120 per mensem were granted for the support of his family,§ exclusive of petitioner. This exclusion was made at petitioner's own request, and there seems no reason to doubt that the request was made because petitioner then believed himself to be provided for for life, by his allowance from Enayeth-oon-Nissa Begum. Dr. Balfour, also, in his report above mentioned (No. 25 of February 1854||), admits petitioner's claim to some share of his father's stipend. Petitioner is the eldest Shadee son of his father. The eldest Shadee son of his uncle

‡ Government Agent's letter, dated 25th March 1828.

§ Extract Minutes of the Honourable the Governor in Council, dated 27th February 1829.

|| Paragraph 12

received in the family distribution Rupees 16-13-6. I consider, therefore, that petitioner may receive the same amount.

4. Petitioner also claims a share from the stipend of his maternal grandmother who died in 1840; but this claim cannot be preferred along with the other claim for a share of petitioner's father's stipend. Double pensions are not allowed by the rules. Therefore, if Government are pleased to grant the allowance above recommended, petitioner will have no further claim. I consider that the allowance, if it be granted, should commence from the date on which the allowance made to petitioner by Enayeth-oon-Nissa Begum ceased, viz., 17th June 1851.

CHEPAUK, (Signed) R. S. WILSON,
9th August 1870. *Government Agent.*

To the Chief Secretary to Governmennt, Fort Saint George.

No. 45-A. ORDER THEREON, 25th October 1870, No. 340.

His Excellency the Governor in Council concurs in the views expressed by the Government Agent, Chepauk, in the foregoing report, and resolves to sanction the grant to the petitioner, Mahomed Ally Khan, the eldest Shadee son of the late Carnatic Stipendiary Kumr-ood-Deen Khan, of a stipend of Rupees (16-3-6) sixteen, Annas three, and Pice six per mensem, with effect from the 17th June 1851.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 46. Read the following letter from NAWAB MAHOMED JAFFER HUSSAIN KHAN BAHADOOR, Jaghiredar of Ranjanaguda, Trichinopoly District, to the Chief Secretary to Government, Fort Saint George, dated Madras, 15th August 1870.

I beg to forward, herewith, an address to the Government, regarding the allowance hitherto enjoyed by Zorah Begum Sahaba, in order to its being continued to me.

2. I crave permission to confide my interests to your keeping, in the firm hope that you will extend to a member of a noble line of ancestors that consideration for which you have, at all times, been so highly and peculiarly distinguished. With every sentiment of respect, I beg, &c.

To

THE RIGHT HON. FRANCIS LORD NAPIER, K.T.,
Governor in Council, Fort Saint George.

The humble address of MAHOMED JAFFER HUSSAIN KHAN BAHADOOR, the legal heir and head of the family of the late Nawab Moatabar Khan Bahadoor Tahir Sufder Jung, Jaghiredar of Ranjanaguda, and nephew of Zorah Begum, deceased.

MOST RESPECTFULLY SHOWETH,

That the said Zorah Begum, who was in receipt of Rupees 500 a month as the widow of the late Moatabar Khan Bahadoor, the last Jaghiredar of Ranjanaguda, in the district of Trichinopoly, departed this life on the 14th May 1870, and that, consequent on her death, the allowance has ceased to be disbursed.

2. The object of the present address is to submit, for consideration, certain facts connected with the original grant of the pension in view that, on a consideration of the circumstances set forth, it may please the Government to continue the allowance.

3. The jaghire of Ranjanaguda was originally conferred by the Emperor of Delhi as per perwannah, * dated 10th Ramzan 1116 Higry.

* Referred to in Clause I of paragraph 7 of this address.

4. As per perwannah, † the abstract translation of which marked A, is herein submitted, the Jaghiredar was styled with the word "Moaeem-i-Carnatic" (assistant to the Carnatic), and the enclosed original documents, marked B, C, and D, show that petitioner's ancestors were addressed as Nawab by the Nawabs of the Carnatic as equal in position, but they were not servants of the Nawabs of the Carnatic, as has been supposed.

† Which can be submitted, if necessary.

Translation accompanied.

5. On the demise of Ahmed Tahir Khan, the first Jaghiredar, the jaghire was enjoyed by his son Mahomed Ally, styled Abid Khan (the maternal grandson of the late Nawab of the Carnatic, Sadut-Oollah Khan Bahadoor), and not by Mahomed Hussain Khan Bahadoor Tahir; after his death, the jaghire was continued to his son, the above-mentioned Mahomed Hussain Khan Bahadoor Tahir, who fell a victim in action, in the year 1749, when rendering assistance to the Carnatic against Chunder Sahib and the French.

Appendix E E, (the original perwannahs can be submitted, when necessary.

6. After the death of the said Mahomed Hussain Khan Bahadoor Tahir, the jaghire passed to his son Moatabar Khan Bahadoor Tahir, a favourite of the late Nawab Wallajah, and on his demise to his eldest son Ahmed Tahir Khan, styled Mahomed Hussain Khan Bahadoor, on whose death it devolved on his nephew and adopted son Mahomed Hussain Bahadoor Tahir, who was in the uninterrupted enjoyment of the same up to the year 1801, when the Carnatic was ceded to the British Government, as per ratified Treaty of 1801 between the Nawab of the Carnatic and the late Honourable East India Company. The jaghire having then been resumed by the British Government evidently on a question of peishcush, it was restored in 1804 to the said Mahomed Hussain Khan Bahadoor Tahir in consideration of the valuable assistance rendered to the British Government, and on the demise of Mahomed Hussain Khan Bahadoor Tahir in 1815, the jaghire was again resumed by the Government, and a comparatively small pension of 6,000 Pagodas, or 21,000 Rupees per annum, was sanctioned in the name of his son Moatabar Khan Bahadoor Tahir, who died in 1854, leaving a large family encumbered with debts. In consequence of the distressed condition of the late Moatabar Khan's family, the Board of Revenue recommended the continuance of the moiety of the pension in petitioner's name, that the Government were pleased to sanction a pension of only Rupees 500 per mensem in the name of the aged widow Zorah Begum Sahaba. That this old lady, after enjoying the pension for a short period of fifteen years, has now breathed her last, leaving a granddaughter who is married to petitioner, the lawful heir and head of the family. That they have five children, together with several other relatives and dependants to maintain, but are really without support of doing so.

7. That your Lordship's petitioner, having thus stated the facts connected with the jaghire, begs to lay before your Lordship the grounds on which he bases his claim for the continuance in his name of Zorah Begum's pension.

1st.—That the jaghire, which was resumed by the British Government, was originally granted to the petitioner's ancestors by the Emperor of Delhi as a perpetual grant, as per perwannah taken by Government through the Collector of Trichinopoly after the cession of the Carnatic, and, further, the Nawab Oomdut-ool Oomrah Bahadoor, in his letter of condolence (herewith submitted with translation) on the occasion of the demise of the late Ahmed Tahir Khan, styled Mahomed Hussain Khan Bahadoor Tahir, wrote with reference to the jaghire that it will be continued to be enjoyed by the members of his family in posterity, and that

As per perwannah, dated 10th Ramzan 1116 Higry.

Appendix marked G.

G; original can be produced when required.

nobleman's statement may well be taken as evidence of the fact of the permanency of the jaghire.

2nd.—That the pension in question is not a charitable grant, though it is so stated somewhat erroneously; that it was granted in lieu of the valuable jaghire yielding a large annual revenue; that, further, the pension was originally granted for life, no mention to that effect being made in the letter from the Secretary to Government to the Members of the Board of Revenue, dated 30th September 1817.

3rd.—That the British as well as the Mahomedan Government are indebted to petitioner's ancestors for assistance given at critical times at the risk of their own lives.

4th.—That the Collector of South Arcot and the Board of Revenue, having considered the validity of petitioner's claim as the only heir of the late Moatabar Khan Bahadoor's family, recommended the continuance of a pension of Rupees 875 per mensem in petitioner's name, as it was the unanimous wish of the family of the deceased Moatabar Khan Bahodoor that the late Moatabar Khan Bahadoor had also during his lifetime requested the honourable Government to transfer his pension in the name of the petitioner, and even the late Zorah Begum and her granddaughter had, in 1855 and 1856, applied to the Government to the same effect, and that it is now the wish of the petitioner's wife, who is the only surviving granddaughter of the late Moatabar Khan, that the late Zorah Begum's pension should now be continued in petitioner's name.

5th.—That the correspondence entered in margin clearly establish the fact of petitioner's assertion that the pension drawn by the late Zorah Begum Sahaba was intended for the support of the family, * and certainly not to their expulsion, or to the advantage of any one single member.

* *Vide* Proceedings of the Board of Revenue, dated 4th August 1855, No. 1987.
Vide letter from the Board of Revenue to Government of 30th January 1858, No. 525.

6th.—That, on the death of the late Ahmed Tahir Khan, the late Mahomed Hussain Khan Bahadoor Tahir continued to enjoy the jaghire of Ranjanaguda on the ground that he was the adopted son and nephew of the former; taking petitioner's claim in the very same light, petitioner begs to state he has every right to claim the continuance in his name, of the pension enjoyed by the late Moatabar Khan and Zorah Begum Sahaba, as petitioner is descended from Mahomed Zeman Khan, the second son of Ahmed Tahir Khan, first Jaghiredar of Ranjanaguda, and connected with the above Jaghiredar's family both by the male and female lines, that is paternal and maternal grandson of Ahmed Tahir Khan Jaghiredar, and the nephew of the late Zorah Begum Sahaba, and not that petitioner is only the son of a female cousin of the last recipient as erroneously supposed, as will be seen by the genealogical† tree. The name of Abid Khan, which seems to have been entirely omitted, should have preceded Mahomed Hussain Khan Bahadoor Tahir. Doubtless, these misstatements have had a great share in misleading the Government as regards petitioner's position and claims.

† Appendix H.

7th.—That in the 9th Article of the ratified Treaty of 1801, between the Honourable East India Company and the Nawab Azeem-ood Dowlah, the British Government engaged to take into consideration the actual situation of the families of their Highness the Nawabs Wallajah and Omdat-ool Oomrah Bahadoor, as well as the situation of the principal officers of His late Highness' Government, and the British Government engaged to charge itself with the expense of suitable provision for their respective maintenance.

8th.—That the late Court of Directors, who had a perfect knowledge of the affairs of the Carnatic, after a series of correspondence on the subject, were pleased to direct the Madras Government by their Despatch, No. 1 of 1850, dated 22nd May, paragraph 51, to the following effect:—The Acting Government Agent, Dr. Balfour, considers the rules which relate to the Carnatic stipends too favourable for the case of what are called Jaghire pension, many of these having been originally granted for life only. We are of opinion that the rule ought not to be that of reduction as unsuccessive lapses, since, as we have repeatedly remarked, such a rule is liable to interfere with the life interests of

persons receiving and entitled to receive support from the stipends, we are willing that each of these cases should be decided by Government on its own particular merits.

9th.—That the similar pension granted to the Jaghiredars of Sunkuraporum, &c., have been up to this present moment continued to the heir of the original grantees, and that none of the surviving relatives and dependants are now left without the means of support.

8. That petitioner trusts that, on a consideration of the above grounds, the Government will be able to admit the validity of the petitioner's claim on behalf of himself and other relatives and dependants of the late Moatabar Khan, whose ancestors rendered meritorious and valuable assistance to the British Government. Petitioner would here observe that, while the Government are indebted to the petitioner's family for the special services rendered in critical times, it is difficult to conceive that its recognition by the British Government should be characterized by the resumption of the jaghire reduction of allowances, and, finally, by its treatment as a life grant, when the position of the petitioner and his family for centuries rendered it impracticable to seek a livelihood by other means, and he would further state that, unless, indeed, the British Government were pleased to protect the interests of the family, it must as a sequence be utterly ruined.

9. That by Government justly granting the petitioner's family will not only be made partakers of the Government's kind patronage, but they will be greatly relieved from the troublesome debts contracted by the late Zorah Begum Sahaba and Moatabar Khan Bahadoor, for the due support of the family, owing to the inadequacy of the pension passed to them.

10. And, in conclusion, your petitioner most respectfully solicits that the Government will, after looking into the antiquity of the family, the high position which they occupied, and the assistance which petitioner's ancestors rendered to the British Government, and also the value of the jaghire resumed with, be pleased to continue in petitioner's name, for the support of the family, as already recommended by the Collector of South Arcot and the Board of Revenue, the pension drawn by the late Zorah Begum Sahaba, petitioner, who, in the first instance, was admitted to have just claims to the continuance of the allowance in his own name as head of the family, but which, however, was granted by Government to Zorah Begum Sahaba, respectfully prays that his position may now be recognised, and the pension continued to him, the object of its grant being for the support of the family. It is for the Government to treat the case with that peculiar consideration which has characterized its proceedings towards other noble families similarly circumstanced. For which act of justice and benevolence your Lordship's petitioner, as in duty bound, will ever pray.

(Signed) NAWAB MAHOMED JAFFER
HUSSAIN KHAN BAHADOOR,
Jaghiredar of Ranjanaguda,
in the District of Trichinopoly.

MADRAS,
15*th August* 1870.

No. 47. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 25th October 1870, No. 341.

I am directed to forward the accompanying petition, addressed to this Government by Nawab Mahomed Jaffer Hussain Khan Bahadoor, the representative of the Ranjanaguda family, praying that the pension of Rupees 500 per mensem, enjoyed by his aunt and wife's grandmother, Zorah Begum, widow of the son of the last Jaghiredar, may be continued in his name. A copy of the Revenue Consultation of this Government, under date 18th September 1855, wherein the circumstances are fully detailed, is herewith forwarded.

2. Zorah Begum is said to have died on the 11th May 1870; and the present petitioner is the person in whose name the Board of Revenue, in 1855, recommended that the pension should be continued.

3. I am to state that, in the opinion of this Government, the case is one in which great hardship has resulted from the policy of resuming Jaghires which, technically only, were life grants, and giving in lieu pensions rapidly reducible in

amount. The course taken in 1855, whereby the continuance of the provision made by the State for the family was made dependent on the life of a lady aged fifty-nine years, in supersession of the present petitioner, on the ground that his adoption was legally invalid, appears to this Government to have been harsh. There appears no reason to question the fact that he is the head of the family and the lineal descendant of the first Jaghiredar; and His Excellency in Council, therefore, recommends that the pension of Rupees 500 may be continued, for the support of the family, in the name of the petitioner Mahomed Jaffer Hussain Khan. The amount is less than would, on the principle of reduction by one-third on each successive lapse, now fall to him.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 48. Read the following letter from HAJEE GHULAM MAHOMED, a great-grandson of the Nawab Wallajah, Madras, to the Chief Secretary to Government, Fort Saint George, dated Madras, 21st July 1870.

I herewith submit a memorial to the address of the Right Honourable the Secretary of State for India in Council, which I beg your Honour will be good enough to transmit with the favourable recommendation of this Government.

To

HIS GRACE THE DUKE OF ARGYLL,
Secretary of State for India in Council.

The humble petition of HAJEE GHULAM MAHOMED, a great-grandson of the Nawab Wallajah, residing at No. 23, High Road, Royapettah, Madras, in the East Indies.

MOST RESPECTFULLY SHOWETH,

The petitioner's grandfather, Nusseer-ool-Moolk, the third Shadee son of His Highness the Nawab Wallajah, was, during the administration of Lord Clive, drawing an annual stipend of 50,000 Rupees.

2. That petitioner's father Salabut Khan, *alias* Nusseer-ool-Moolk Bahadoor, was the only son by a Nickah wife of the said Nusseer-ool-Moolk the first.

3. That Nusseer-ool-Moolk the first died in the year 1804, leaving behind him petitioner's father, who was then an infant. That petitioner's father was confided to the care of his uncle Hussam-ool-Moolk, who, being a rival of the Nawab Azeem-ood-Dowlah, failed to present to Government the claims of his ward.

4. That, as it was then the practice for the Nawab himself to report the losses that occurred, from time to time, among the Carnatic Stipendiaries, and to recommend to Government the persons who stood as heirs to succeed to the vacant pensions, petitioner's father's case was not brought to the notice of Government, owing to the enmity then existing between the said Hussam-ool-Moolk and the Nawab.

5. That, although a pension of Rupees 9000 per annum was conferred on the Shadee widow of petitioner's grandfather, and another of 3,000 Rupees per annum on his Nickah widow, petitioner's unfortunate father was left quite destitute.

6. That, on a reconciliation taking place between the said Hussam-ool-Moolk and the Nawab, the former brought forward the claim of petitioner's father, which was submitted by the Nawab to Government, and which was afterwards investigated by a Committee sitting in the year 1815-1816. That this Committee, in direct contradiction to the principle of Lord Clive in setting Carnatic pensions, recommended petitioner's father for an annual stipend of 6,000 Rupees.

7. That petitioner's father, who was the only male heir of the said Nusseer-ool-Moolk the first and a representative of the Wallajah family, ought to have been allowed Rupees 50,000, the amount of his father's pension, or at least a fair proportion of it, in accordance with the minute of Lord Clive, dated 29th September 1801, and Dr. Balfour's compilation of persons of importance submitted by him, on the 29th June 1854, under the instructions conveyed by the late Honourable Court of Directors in their despatch dated 11th March 1846.

8. That, according to Lord Clive's minute above alluded to, petitioner's father ought at least to have been recommended for a stipend of 10,000 Rupees. That Mootahar Ally Khan, the son by a dancing girl of Hussam-ool-Moolk the second, Surf-ool-Oomrah Bahadoor, Ghoolam Abbass Ally Khan, and many other descendants of persons constituting the second line were enjoying the full amount

of the stipends of their fathers. That, therefore, petitioner would here observe that his father and himself have not been treated with that wonted liberality of Government which has been often bestowed on less deserving persons.

9. That, after the demise of petitioner's father, Government unjustly granted to him and the numerous members of his family a small and insufficient stipend of 200 Rupees per mensem, out of which the petitioner enjoys a share of Rupees 144, an amount quite inadequate to maintain petitioner and his family in a manner becoming the grandson of Nusseer-ool-Moolk the first, the Shadee son of His Highness the Nawab Wallajah. That Government have increased the stipends granted to Thorab Ally Khan, Mirza Mahomed Azeem-ood-Deen, *alias* Mirza Amani, who, with regard to their rank and family connexions, are greatly inferior to petitioner.

10. Your Grace will observe that Lord Clive distinctly gave it as his opinion that both the legitimate sons of Wallajah and the elder son of Tippoo Sultan should be allowed equal pensions. In conclusion, petitioner submits his case into your Grace's hands, in the fervent hope that, from the benignity of the British Government manifested even to the sons of a rival and a bitter foe, the just claims of a friend and ally would receive that consideration which it justly deserves.

Your petitioner humbly beseeches your Grace to be graciously pleased, if no greater allowance can be granted him, to continue his father's stipend of 4,080 Rupees per annum. For which act of justice and kindness your petitioner shall, in duty bound, ever pray.

ROYAPETTAH, (Signed) حاجی غلام محمد
1st *July* 1870. HAJEE GHULAM MAHOMED.

List of Documents herewith submitted.

1. An English petition to the Government of Madras, dated 27th August 1869.
2. An English petition to the Government of Madras, dated 15th June 1870.
3. Endorsement thereon, dated 27th June 1870.
4. A genealogical table, showing the relationship of petitioner to His Highness the late Nawab Wallajah.

No. 49. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 25th October 1870, No. 342.

I am directed to forward, for transmission to the Secretary of State for India, a memorial addressed to His Grace by Hajee Ghulam Mahomed, a Carnatic Stipendiary on Rupees 200 per mensem, who claims an augmentation of his allowance.

2. The memorialist urges that he is the grandson of Nusseer-ool-Moolk, a Shadee son of the Nawab Wallajah, who had a pension of Rupees 50,000 per annum. In 1805, pensions of Rupees 9,000 and 3,500 per annum were granted to his Shadee and Nickah widows, but no stipend was assigned to the memorialist's father Salabut Khan, commonly called Nusseer-ool-Moolk the second, until 1816, when he was recommended for a pension of Rupees 6,000 per annum by the Committee referred to in the memorial. The Agent having questioned the correctness of this grant, on the ground that Rupees 3,600 was the maximum grant under the ordinary rules, as Salabut Khan was a Nickah son, the pension was not paid; and, ultimately, a stipend of Rupees 3,600 was granted to him from 1821. This stipend he enjoyed till 1864.

3. The reasons why so great a reduction was made were that Salabut Khan was only a Nickah son, and that, as stated in the report of the Government Agent upon his claim, recorded in the Proceedings of this Government, under date 1st November 1864,* there was a doubt whether the relationship was not even less honourable than Nickah.

* Copy enclosed.

4. It will be seen that, in the letters referred to, Colonel Wilson recommended the grant of only Rupees 100 per mensem to the memorialist; but the Government, being of opinion that such a reduction was too great, assigned to him a stipend of Rupees 200 per mensem.

5. I am to state that His Excellency in Council has no recommendation to make in favour of memorialist.

(Signed) R. S. ELLIS,
Chief Secretary.

CONFIDENTIAL.

No. 50. Read the following Extract from the Proceedings of the Government of India in the Foreign Department, (Finance,) dated Simla, 6th October 1870, No. 402-F, Confidential.

Read again the following correspondence regarding Mints in Native States, and the desirability of having a uniform coinage throughout India:—

Extract from Financial Department, No. 1439, dated 24th June 1869.
Circular to Local Governments and Administrations, No. 281, dated 20th July 1869.

Read also the under-mentioned replies:—

From Chief Commissioner of Mysore, No. 2277—118, dated 29th July 1869.
,, Resident at Hyderabad, No. 82, dated 6th September 1869.
,, Acting Secretary to Government, Fort Saint George, No. 308, dated 19th October 1869.
,, Secretary to the Government of the Punjab, No. 338,—1337, dated 20th December 1869.
,, Acting Secretary to Government, Bombay, No. 18, dated 17th January 1870.
,, ,, ,, No. 68, ,, 19th February 1870.
,, Officiating Agent, Governor-General, Central India, No. 7F—60, dated 23rd March 1870.
,, Agent, Governor-General, Rajpootana, No. 28F, dated 8th April 1870.
,, ,, ,, No. 29F, ,, 18th ,, ,,
,, ,, ,, No. 31F, ,, 29th ,, ,,
,, ,, ,, No. 187P, ,, 2nd June ,,
,, Officiating Agent, Governor-General, Central India, No. 16F—203, dated 17th September 1870.

Resolution.—After a careful perusal of the above reports, the Viceroy and Governor-General in Council is convinced that, however desirable and beneficial a uniform coinage for all India may be, it is not possible to introduce a scheme for this purpose, unless the Mints in Native States were closed, or their management be taken under the control of the Government of India. The objections to such a course, both on political and general grounds, are so great that His Excellency in Council deems it inexpedient to take any action in the matter at present beyond instructing Political Agents to point out to Native Chiefs, as opportunity arises, how advantageous it would be for them to coöperate in making the Indian coinage more uniform, and in assimilating it, as far as possible, to that of the British Government. His Excellency in Council is not without hope that the Rulers of Native States may gradually be brought to perceive the benefits which a measure of this kind is likely to confer on their subjects, and that in course of time they may be induced either to stamp their own devices on blanks obtained from the British Government, or to make their coins as similar as possible in value and shape to those which are in general use throughout British India.

2. It is, perhaps, not to be expected that the principal Native States should willingly surrender the right of coining which is one of their most valued prerogatives, and His Excellency in Council is not prepared to sanction any authoritative interference in the matter. But if a Native Chief should show a disposition to close

his Mint, and to ask the Government of India for assistance in changing his coinage, he should receive every encouragement to do so. At the same time those Chiefs who may express a determination not to close their Mints should be informed that the Government of India is willing to help them, as far as it can, to procure good machinery and to improve their assay and process of coining.

3. Although His Excellency in Council has no wish to press any restrictive measures on Native States, he thinks it right to declare that where Mints have either been suppressed altogether, or have not been in active use within the last five years, their revival or opening cannot be permitted. Moreover, His Excellency in Council cannot permit the establishment of a Mint by any State which has not, up to the present time, continuously exercised the right of coining without question by the British Government.

4. There are four little States in the Bombay Presidency, *viz.*, Barrea, Chota Oodeypore, Loonawarrah, and Soanth, the Mints of which have only been established of late years by the tacit permission of the Political Agent in the Rewakanta. It is the wish of His Excellency in Council that the Bombay Government should call upon the Political Agent to explain the circumstances under which these Mints were opened, and to report whether they cannot now be abolished.

5. There is also a Mint at Shahpoora, in Rajpootana, the political position of which State is not such as to entitle it to the privilege of coining. His Excellency in Council concurs with the Agent to the Governor-General as to the propriety of closing this Mint, and he accordingly directs that this be done.

ORDER.—Ordered, that the foregoing Resolution, together with a copy of the reports from the Local Governments and Administrations cited above, be sent to the Financial Department for information, with reference to the extract from that Department, No. 1439, dated 24th June 1869.

No. 403-F.

Ordered also, that the foregoing Resolution be communicated to the Government of Fort Saint George, for information and guidance.

(True Extract.)

(Signed) C. GIRDLESTONE,
Offg. Junior Under Secy. to the Govt. of India.

No. 51. ORDER THEREON, 26th October 1870, No. 343.

Communicated to the Resident in Travancore and Cochin, and to the Political Agent at Poodoocottah, with reference to their letters, dated the 3rd September 1869, No. 73, and 1st October 1869, No. 237, respectively.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 52. Read the following letter from MAHOMED ABDUL RAHMAN KHAN BAHADOOR, to His Excellency the Right Honourable the Governor in Council, Fort Saint George, dated Madras, Chepauk, 1st September 1870:—

Being aggrieved by your Excellency's decision in respect to compensation on account of the house given to my mother in the Chepauk grounds by her father, His Highness Nawab Azeem-ood-Dowlah, Sovereign of the Carnatic, I am compelled to appeal to the Home authorities, and beg to enclose a memorial, in triplicate, to the address of the Right Honourable the Secretary of State for India, and I humbly beg your Excellency will be most graciously pleased to forward the same with your personal support, for which I shall ever feel most grateful.

To

HIS GRACE THE DUKE OF ARGYLL,

Her Majesty's Principal Secretary of State for India.

The humble petition of MAHOMED ABDUL RAHMAN KHAN BAHADOOR, grandson of His Highness Azeem-ood-Dowlah Bahadoor, Nawab of the Carnatic.

RESPECTFULLY SHOWETH,

That your petitioner submitted a memorial to the Madras Government praying that, as in the case of other members of the Royal Carnatic family, who, on being deprived of the residences assigned to them or their progenitors in the grounds around the Chepauk Palace, received a monthly allowance as compensation, in addition to their pension proper, he also may be allowed a similar compensation for the house given in the grounds around the Chepauk Palace to your petitioner's mother by her father, His Highness the Nawab Azeem-ood-Dowlah.

That, the Madras Government not having granted compliance with your petitioner's prayer, he addressed His Excellency the Viceroy and set forth all the grounds of his claim. That His Excellency the Viceroy forwarded that memorial to the Madras Government for disposal.

That the Madras Government favoured your petitioner with the annexed endorsement, which your petitioner considers opposed to their own rulings in identically similar cases, and your petitioner, being aggrieved, is compelled to address your Grace.

No. 1296 of 1870.
ORDER.—The Government decline to admit petitioner's claim to compensation on account of the house referred to, which was the property, not of Koolsoom Begum, but of the Carnatic Sirkar.

That, if compensation is not payable to your petitioner on account of the house alluded to, because that tenement was the property of the Carnatic Sirkar, such allowance is not payable to any other persons who possessed similar tenements; but, as Government have been pleased to grant compensation for such tenements to the parties entered in the margin, your petitioner submits that, by these acts of Government, he is entitled to the same indulgence.

Mookthar-oon-Nissa Begum.
Ghousea Begum.
Fathima Begum.

That your petitioner's mother's right to the residence was recognized by the successors to the musnud of your petitioner's mother's royal father. The grant of the tenement by Azeem-ood-Dowlah was accepted and recognized by his successors as just and right, and, if the Carnatic Sirkar were now in existence, your petitioner would have inherited the tenement in question as his residence; and, as the Madras Government have been pleased to make other disposal of the tenement, your petitioner submits that, in justice, as administrators of the Carnatic estate, that Government are bound to grant your petitioner compensation for the loss of those premises.

That the Madras Government did actually admit their liability to pay compensation for the tenement in question by sanctioning Rupees 35 per mensem to your petitioner's mother as house-

rent, and which was never paid to her in consequence of her demise occurring before the promulgation of the order.

That, the merits of the whole question being fairly and equitably discussed in the memorial to His Excellency the Viceroy, a copy of that memorial is herewith appended, and your petitioner prays that, for the reasons therein set forth, his prayer may be complied with, viz., that the allowance of Rupees 35, originally granted to his mother by the Madras Government as compensation on account of the loss of the premises, may be paid to petitioner from the date of the order sanctioning the same, for which, as in duty bound, your petitioner will ever pray.

(Sealed) محمد عبدالرحمان خان بہادر.

No. 52. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 31st October 1870, No. 347.

I am directed to forward, for transmission to the Secretary of State for India, a memorial addressed to His Grace by Mahomed Abdul Rahman Khan Bahadoor, claiming the continuance to him of the allowance of Rupees 35 a month sanctioned in January 1859, in lieu of house-rent, in his mother's name.

2. The memorialist is the son of Koolsoom Begum and the uncle of the ladies whose memorial was transmitted with my letter, No. 215, dated 19th July 1870. In that communication and the papers which accompanied it (to which I am to request reference), the circumstances under which the grant to Koolsoom Begum was sanctioned, and the reason why it was considered to be only a personal grant, are fully detailed.

3. I am instructed to say that the Madras Government does not recommend compliance with the claim of the present memorialist, who is the person referred to in the second paragraph of the Chepauk Agent's report, dated 29th April 1870, already transmitted.

(Signed) R. S. ELLIS,
Chief Secretary.

A.

POLITICAL DEPARTMENT.

TABLE OF CONTENTS

TO THE

Proceedings of the Madras Government

For the Month of November 1870.

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and Dates of previous Proceedings.	6 Page.
		1870.			
1 & 2	*Carnatic.* — Publication of the Notification submitted by the Commissioner for the examination and settlement of claims against His Highness Prince Azeem Jah Bahadoor, requiring all claimants to appear before him before the 31st December 1870, after which date their claims will be rejected, ordered.	2nd Nov., No. 350.	....	....	301
3—5	*French Government* informed that the Collector of South Arcot has been authorized to grant a bill on the Collector of Godavery for Rupees 6,000 in favour of the Chef de Service of the Settlement of Yanam.	9th Nov., No. 355.	....	....	302
6 & 7	*French and Prusssian War Ship.*—Letter from His Excellency the Governor of Melbourne communicated to the Acting Master Attendant, with a request that he will supply the information sought for therein regarding the arrival and departure of these vessels.	9th Nov., No. 356.	....	....	303
8 & 9	*Carnatic.*—Memorial from Syed Khader Mohideen, appealing against the decision of this Government and the Government of India, which negatived his claim to an allowance of Rupees 100, said to have been granted to him by the late Nawab of the Carnatic, forwarded to the Government of India, for transmission to the Secretary of State.	15th Nov., No. 367.	....	....	304
10 & 11	*Mysore Pensioners.*—Copy of a letter from the Government of India granting Syed Mahomed, Meer Raza Hoossain, and Meer Mahdy Hoosain a pension of Rupees 16 each per mensem, on the understanding that the allowance in each case is to cease on the death of the recipient, ordered to be furnished to the Government Agent, Chepauk, for communication to the petitioners.	17th Nov., No. 371.	....	21st Sep. 1870, Nos. 32 & 33.	308

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and Dates of previous Proceedings.	6 Page.
12—13	*Kandian Pensioners.*—Copy of a letter from the Government Agent Tanjore making certain proposals for the commutation of the stipends of the Kandian pensioners, submitted for the information of the Ceylon Government.	1870. 23rd Nov., No. 374.	....	24th Jan. 1870, Nos. 45 & 46.	308
14 & 15	*Consular Instructions.*—Despatch from the Secretary of State forwarding for the use of this Government copy of Consular Instructions issued by the Foreign Office for the guidance of officers under their control, recorded.	23rd Nov., No. 375.	....	....	310
16 & 17	*Masulipatam.*—Despatch from the Secretary of State, transmitting with reference to this Government's letter relative to the inconvenience experienced from the existence of a small French settlement within the municipal limits of Masulipatam, copy of a despatch addressed to the Government of India, respecting a similar state of things existing at Balasoor, communicated to the President of the Municipal Commission, Masulipatam.	24th Nov., No. 376.	....	....	311
18 & 19	*French Government* informed that the necessary instructions have been issued for granting a bill in favour of the Chef de Service de Mahe for Rupees 4,000 and for the disbursement at Cuddalore of the moiety of the third instalment of the rent due to France for 1870.	25th Nov., No. 377.	....	....	311
20—22	*Khureetas* with nuzzurs addressed by His Highness Prince Azeem Jah Bahadoor to His Highness the Nizam of Hyderabad and His Excellency Sir Salar Jung, K.C.S.I., transmitted to the Resident at Hyderabad for delivery.	30th Nov., Nos. 380 & 381.	....	....	312
23 & 24	*Kandian Pensioners.* — Sovitre Devi, widow of the son of the late Ex-King of Kandy, with her relatives and servants permitted to proceed to Madura from Tanjore and an advance of Rupees 380 authorized to be paid to her, to be recovered from her stipend by monthly instalments of Rupees 35.	30th Nov., No. 382.	....	....	315

POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of November 1870.

No. 1. Read the following letter from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, to the Chief Secretary to Government, Fort Saint George, dated Madras, 31st October 1870, No. 10 :—

I have the honour to request that you will be good enough to obtain for me, should my request meet with the approval of His Excellency the Governor in Council, the help of Government in bringing my labours to a close within the period I have named. To effect this, my inquiries into the merits of the claims must be finished within the current year; and, for this purpose, it is necessary that some pressure should be put upon those claimants who have not yet appeared, or who have not yet proved their heirship, as, if left to themselves, they may delay attending at my office for many months.

2. The accounts in connexion with the Sirkar claims have been submitted to me with but few exceptions. Some cannot be prepared without further information from the claimants themselves. I am preparing lists of such claimants. Copies of some have already been sent to the Shadi Mahal, and to the Chepauk Agent's Office, and have been affixed at the entrance of the principal Mosque in Triplicane.

3. But to ensure the attendance of these persons, some limit should, I think, be fixed within which the claimants who have not yet appeared, or who have not yet produced the evidence demanded of them, should be directed to attend and establish their demands, failing which their claims should be rejected. Some of these persons are absent from Madras, but none of them are compelled to attend in person.

4. It appears to me that two months will be ample time for the above purpose. All who attend within this period would have further time allowed, if necessary, to produce proofs of their title.

5. I would, therefore, request that a Notification, to the effect of that subjoined, should be issued, as early as practicable, in English, Hindustani, and Tamil, in the *Fort Saint George Gazette* and the *District Gazettes* of this Presidency. I would also request that a few Hindustani copies of the same may be forwarded to His Excellency Sir Salar Jung Bahadoor, K.C.S.I., for distribution in Hyderabad, and I propose inserting the Notice in a few issues of the Madras Hindustani newspaper, the "Umdat-ul-Akbar."

6. Trusting that the Government will concur in the propriety of the measure I am suggesting, I have, &c.

NOTICE.

It is notified for the information of all creditors of His Highness Prince Azeem Jah Bahadoor who have filed claims under Madras Act III. of 1867, and have not yet appeared before the Commissioner and established their title to the same, that the Commissioner's inquiry into the said claims will be closed within the current year.

Such claimants are, therefore, directed to attend at the Commissioner's Office, either in person or by a duly authorized Vakeel, without further delay. All claims not duly established before the 31st December 1870 will be finally rejected.

No. 2. ORDER THEREON, 2nd November 1870, No. 350.

The publication of the Notification, submitted with the letter above recorded, is sanctioned.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 3. Translation of a letter from His Excellency the Governor of the French Settlements in India, to His Excellency the Right Honourable the Governor of the Presidency of Fort Saint George, Madras, dated Pondicherry, 3rd November 1870, No. 29.

I have the honour to request that your Excellency will be so good as to authorize the Collector of the Godavery District to pay to the Chief of the Service of Yanam the sum of 6,000 Rupees out of the instalment due for the third quarter of the annual allowance of four lakhs.

2. If your Excellency sees no inconvenience in this transfer of funds, I shall be obliged by your giving instructions to the Collector of South Arcot to remit to me a bill for that amount as soon as possible.

Referred to the Accountant-General for report.

FORT SAINT GEORGE,
7th November 1870.

(Signed) H. E. STOKES,
Under Secy. to Govt.

No. 4. From the Accountant-General, Madras, to the Chief Secretary to Government, Fort Saint George, dated Fort Saint George, 8th November 1870, No. 232.

Resource Department.

With reference to the endorsement of the Under Secretary to Government, dated the 7th instant, on a letter from His Excellency the Governor of the French Settlements in India, I have the honour to report that the Collector of South Arcot

has been authorized to grant a bill on the Collector of Godavery in favour of the Chief of the Service at Yanam for Rupees 6,000, and to debit the amount in part payment of the third instalment due to the French Government.

No. 5. To His Excellency M. BONTEMPS, Governor of the French Settlements in India, dated Fort Saint George, 9th November 1870, No. 355.

I have the honour to acknowledge the receipt of your Excellency's letter, dated the 3rd instant, No. 29, and to acquaint you that the Collector of South Arcot has been authorized by the Accountant-General to grant a bill on the Collector of Godavery for Rupees (6,000) six thousand in favour of the Chef de Service of the Settlement of Yanam.

Accept, Sir, &c.,
(Signed) NAPIER.

No. 6. Read the following letter from His Excellency the Governor of Melbourne, to His Excellency the Governor of Madras, dated Melbourne, 10th October 1870 :—

Vide 3rd paragraph of Earl Granville's Despatch of 19th July to the Earl of Kimberley.

With reference to the Regulation for the maintenance of the Neutrality of the British Empire, which provides that no ship of war of either of the two belligerent powers, France or Prussia, shall, without special permission, be allowed, while in any port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, to take in coal until after the expiration of three months from the time when such coal may have been last supplied to her within British waters as aforesaid, I have the honour to inform your Excellency that the French ship of war *Surcouf* was supplied with coal at Melbourne on the 14th September, and that she left Melbourne for New Caledonia on the 15th September.

P. S.—I have the honour to request that your Excellency will favour me with information respecting the dates at which any ships of war of either belligerent power may arrive, be supplied with coal at, and depart from, any port in your Excellency's Government.

No. 7. ORDER THEREON, 9th November 1870, No. 356.

Ordered that a copy of the foregoing letter be furnished to the Acting Master Attendant, Madras, with a request that he will, in communication with the other Master Attendants of the Presidency, supply the information sought for in the postscript to the letter regarding the arrival and departure of ships of war belonging to France or Prussia.

2. A copy of the letter will also be furnished to the Magistrates of the Maritime Districts.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 8. Read the following letter from SYED KHADER MOHIDEEN, to the Chief Secretary to Government, Fort Saint George, dated Madras, 25th October 1870:—

With the greatest respect and submission, I beg you will do me the favour to lay before His Excellency the Governor in Council the enclosed memorial, addressed to the Honourable the Secretary of State for India, praying for my full pension, for transmission, with the support of the favourable recommendation of Government.

TO THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR INDIA,

London.

The humble Memorial of SYED KHADER MOHIDEEN, son of the late Auzim-ool-Oomrah Bahadoor, the Chief Officer of the Nawab of the Carnatic.

MOST HUMBLY SHOWETH,

That your memorialist most respectfully begs to present an appeal for the reversion of the decision of the Madras Government and that of the Government of India, relative to his claim for the receipt of a larger amount of stipend than now allowed him, *i. e.*, his full rate of pension, as granted him by the late Nawab of the Carnatic.

2. That your memorialist is the son of Auzim-ool-Oomrah Bahadoor, who held offices of importance* under the late Nawab, and was, at the time of his death, 1850, in the receipt of a salary of 1,000 Rupees per mensem. On the death of Auzim-ool-Oomrah Bahadoor (memorialist's late father), the late Nawab granted the memorialist a pension of 100 Rupees per mensem; but, as he was then a child, His Highness directed that of this pension Rupees 20 only per mensem should be paid to the petitioner's family for his support, and that 80 Rupees per mensem should be lodged in the Treasury till the petitioner attained his majority. In 1853, the Nawab was obliged to reduce his expenditure, and appointed a Commission, known as the Istifa Cutcherry, to make the required retrenchments. In the case of the memorialist, they recommended that his pension should be reduced to Rupees 25. The Nawab sanctioned this amount of pension; but ordered that the balance of the original pension, or 75 Rupees per mensem, should be lodged in the Dustakhas Department, or Privy Purse, until the memorialist attained his majority.

* President of the Revenue Board, Commissary-General, and Meer Ahsham.

3. That his late Highness did not grant his pension from any dignified notion; if so, he would not have endorsed his opinion on the several cases in the reduction list, in which your petitioner was one, and all of which were acted upon, considering them valid, except your petitioner, prior and subsequent to the demise of his late Highness; while so, why should not your petitioner's claim bear the same value and be considered valid? and why would his Highness, the late Nawab, make an endorsement on your petitioner's order without the same motive as in the cases of the others? Your petitioner begs to state that, this was not a special order on a separate paper, so that it may be considered a formality, but that it was a general order, passed along with others in the reduction list. If your petitioner's order were to be considered in any other light, all other orders in the same list bearing such endorsements, now sanctioned by the Madras Government, must also be treated in the same manner as that of your petitioner's. The reduction list should particularly be noticed in which the second order of the late Nawab stands. The 25 Rupees were merely allowed for the maintenance of your petitioner, but not as a full pension for him, as the Government Agent stated. If the Government Agent had only noticed all the points referred to in the records, he would no doubt have recommended for the full pension; but it seems that he attended to a few,

and, did not take notice of the others. The Dewan of the Durbar, being the head of the Istifa Cutcherry, writes to the Government Agent in answer (*vide* Exhibit *A*) to his letter on the 8th May 1867, that your petitioner is entitled to a full pension and arrears, because he was the son of one of the members of a higher dignity in the Nawab's durbar. The Chief Secretary to the durbar writes (*vide* Exhibit *B*) first about your petitioner, by order of the late Nawab to the Dewan to pay him (your petitioner) Rupees 20, and deposit Rupees 80 till he comes of age; and also the Private Secretary writes (*vide* Exhibit *C*) a second time, by order of his late Highness to pay Rupees 25 for his maintenance, and to deposit Rupees 75 as stated above.

4. That the Madras Government first granted memorialist Rupees 25 as pension proper, and, upon his representation, considering the matter more maturely, then the Government of Madras thought fit to recommend him to the Government of India for Rupees 50 per mensem on the 14th July 1870. But the Government of India, in their Order thereon dated 5th September 1870, declined to comply with the recommendation of the Madras Government on the ground that the benevolent intention of the late Nawab should not at all be considered as having any weight in the matter. The words run thus: "It does not appear to His Excellency in Council that this question "is affected by the intention which the late Nawab may have had at the time that the orders con- "cerning the petitioner's pension were passed. Were regard to be had to the intention, the applicant "might fairly claim Rupees 100 a month. Considering that Government has already incurred "great expenditure on account of the Carnatic family, His Excellency in Council can see no "ground for giving Syed Cawder any increase to the stipend which he at present receives, and, "therefore, regrets that he cannot comply with the recommendation of the Government of Fort Saint "George." Memorialist, therefore, begs to submit most respectfully the following pertinent points that must necessarily be taken into account in order to a due consideration and a proper adjustment of memorialist's case :—

First.—That, with regard to the contents of the third paragraph of the decision of the Indian Government, memorialist has to say that, it is not merely the intention of the Nawab, but that it has been actually carried out. (1.) That the payment of 160 Rupees (being two first months' arrears of deposit money, viz., for September and October 1850) is direct, positive, and immediate evidence of the legitimacy of memorialist's claim. These 160 Rupees were paid without any funds being particularly kept by the Nawab, but from his General Treasury; and also it will be observed by Her Majesty's Government in paragraph 10 of their letter to the Government of India, dated 14th July 1870, No. 207, the Madras Government recognised that the intention of the late Nawab, regarding memorialist's pension, was actually carried out. (2.) That, in all the annual accounts, the arrears of deposited money due to memorialist, at the rates of 80 and 75 Rupees per mensem, are invariably put down. Were it mere intention, it would never have been entered in such accounts; and when the late Nawab, in 1853 (during his life-time), submitted to Government a catalogue of the parties to whom he stood indebted, and of all his liabilities, memorialist's name and amount of arrears of pension due were also included in that list; likewise in the list prepared in the year 1855, which was after the Nawab's death, memorialist's name, with his full arrears, is mentioned. The liabilities mentioned in these lists have all of them been paid by the Government after the Nawab's death, considering them as having been carried out. (3.) That all the orders passed by the Nawab in opposition to the suggestions of the Istifa Cutcherry in the reduced list of Madut Khurch Department, held in 1853, had been carried out, after the Nawab's death, by the English Government as marginally noticed,* whereby it is manifest that memorialist also is entitled to the like benefit. If the Government of India think that it is merely the intention of the Nawab, the orders of the Nawab passed in opposition to the suggestions of the Istifa Cutcherry in the reduced list (in which memorialist's name is also included), alluded to in point 3, must be set aside. Wherefore Her Majesty's Government, memorialist presumes, will no doubt conclude that grave injustice had been done the memorialist by the withholding and deprivation of such benefit belonging as he does to the same class of claimants upon the Nawab's purse.

* Hafez Abdool Hafeez, Ali Ruzza, Hajee Buddroondeen Syed Guzzufer Hoossain Khan, Shaw Roohoollah, Mahomed Taher Ali.

Secondly.—That, in allusion to the second point touched upon in paragraph 3 of the decision of the Indian Government as regards expenditure, memorialist begs to submit that he is not a member of the Carnatic family; to the members of which the British Government has very liberally granted munificent pensions by the grace of Her Majesty, and by virtue of their dignified position, whereas memorialist claims on the grounds of his late father's faithful and devoted services rendered to the late Nawab. It is also to be considered by Her Majesty's Government that the validity and justness of a claim have nothing whatsoever to do with the expenditure that their meting out may entail. What strengthens memorialist's prayer the more is the very admission of the Government of India, for, in the third paragraph alluded to already, it is affirmed that "were regard to be had to the intention the applicant might *fairly claim* Rupees 100 a month."

5. Under these circumstances, it is to be presumed and hoped that Her Majesty's Government, weighing the matters involved in this case, in a just balance, will, with its wonted sense of justice, and profound wisdom, be pleased to redress the grievances complained of, and cause memorialist's case to be righted by graciously ordering the payment, with arrears, from the date of his father's death, of the original amount of pension, *i. e.*, Rupees 100 as petitioner has a large family to support, as also in consideration of his dignity.

Memorialist, as in duty bound, shall ever pray.

Royapettah, (Signed) SYED KHADER MOHIDEEN.
25th October 1870.

APPENDIX.

Exhibit A.

My kind and generous Friend, may God prolong his kindness.

In reply to your letter, dated 7th instant, I beg to inform you that, after the death of Auzim-ool-Oomrah Bahadoor, deceased, His Highness, in consideration of the rights of service entrusted to him, issued an order that a sum of Rupees 100 must be fixed for maintenance, and be continued to be paid to Syed Khader Mohideen (then) a suckling child of the aforesaid Bahadoor; that out of the aforesaid amount a sum of Rupees 20 must be continued to be paid per month for his maintenance, and Rupees 80 a month must be deposited in the General Treasury up to his arrival to the age of majority. That afterwards, on the report of the Members of Istifa Cutcherry, His Highness issued a second order that the sum of Rupees 25 a month must be continued to be paid for the said maintenance, and the remaining Rupees 75 must be deposited in the Dustakhas Department up to the time of his arrival to the age of majority, according to the former orders. The intention of the late Nawab by these orders was this, that, in consequence of this child being an infant, his moneys may not be usurped by any other people, and that, with the exception of the moneys so paid to him for his monthly maintenance, and whatever arrears remain as deposit and payable by the Sirkar, may be paid to him in one lump after the time of his arrival to the age of majority, and also a full pension may be granted to him. As he did not arrive to the age of majority during the lifetime of the late Nawab, consequently he was deprived of his full rights, that is to say, the payment of the arrears and the grant of a full pension. In fact, Syed Khader Mohideen Saib is a pensioner; he became a servant in consequence of his paternal rights, because his father departed this life after having been engaged in several noble employments. I did not enter this fact in the list sent by me after the death of the late Nawab on the following grounds, that is to say, he was a minor at that time, and this order was to be carried out after his arrival to the age of discretion, therefore I did not think it necessary to mention him in that list; besides this, no full particulars are given in the said list of any of the servants, and it was not necessary to enter his also. What shall I write more.

Dated 8th May of the year of Christ 1867.

(Signed) MADAR-OOL-OOMRAH,
Dewan of the Durbar of the late Nawab of the Carnatic.

(*Superscription.*)

Be it opened for the high perusal of my kind and generous friend Colonel R. S. Wilson Sahib Bahadoor, Government Agent, Chepauk. May God prolong his kindness.

(True Copy.)

(Signed) SYED KHADER MOHIDEEN,
Son of the late Auzim-ool-Oomrah Bahadoor.

EXHIBIT B.

To

MADAR-OOL-OOMRAH BAHADOOR,
Dewan of the Durbar.

MY KIND FRIEND,

You will issue the following allowances for the support of the heirs of the late Auzim-ool-Oomrah (from the Madud Kurch Department) in lieu of the sums hitherto drawn by the deceased in the Dewanee Mal Department :—

Rupees 290, deduct Rupees 80 deferred, and to be accumulated in the Treasury ; balance Rupees 210.

Syed Khader Mohideen, son of deceased, Rupees 100, deduct Rupees 80 deferred, to accumulate in the Treasury till he attains his majority ; balance, Rupees 20.

By order,

PERSIAN DEPARTMENT OFFICE,
13*th Shawal* 1266, (22*nd August* 1850.)

(Signed) GHOLAM ALI,
Meer Moonshee of the Durbar,
or Chief Secretary.

(True Copy.)

(Signed) SYED KHADER MOHIDEEN,
Son of the late Auzim-ool-Oomrah Bahadoor.

EXHIBIT C.

EXTRACT from the Reduction List of the Madud Kurch Department, dated 7th Rumzan 1269 (15th June 1853), signed by the Members of the Istifa Cutcherry, and passed by the Nawab.

* * * * * *

Syed Khader Mohideen, son of Auzim-ool-Oomrah, deceased, recently entertained, Rupees 100, of which Rupees 20 current, and Rupees 80 deferred till the future, Rupees 75 of deferred amount to be reduced. Balance left, Rupees 25.

Ordered that, agreeably to the former order, out of the pension of Rupees 100, the sum of Rupees 25 shall be current from this Department, and the above-reduced Rupees 75 shall be drawn, and retained in the Dustakhas Department, and shall be paid after he attains his majority.

(Signed) MOORTUZA,
Private Secretary.

(True Copy.)

(Signed) SYED KHADER MOHIDEEN,
Son of the late Auzim-ool-Oomrah Bahadoor.

No. 9. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 15th November 1870, No. 367.

I am directed to forward, for transmission to the Right Honourable the Secretary of State for India, a memorial from Syed Khader Mohideen appealing against the decision of this Government and the Government of India, which negatived his claim to an allowance of Rupees (100) one hundred, said to have been granted to him by the late Nawab of the Carnatic.

2. The circumstances of the case are fully detailed in my letter, No. 207, dated 14th July 1870, to which I am to request reference.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 10. Read the following letter from the Officiating Junior Under Secretary to the Government of India, Foreign Department (Political), to the Chief Secretary to Government, Fort Saint George, dated Fort William, 5th November 1870, No. 1869-P:—

In reply to your letter, dated 21st September 1870, No. 290, giving cover to a petition from Syed Mahomed, Meer Raza Hoossain, and Meer Mahdy Hoossain, in which they pray that a pension of Rupees 50 per mensem, drawn by their grandmother Tahira Begum, lately deceased, may be continued to them, I am to observe that there do not appear sufficient grounds for the grant of a permanent pension to these individuals as proposed by the Madras Government. But, under the circumstances represented, His Excellency in Council is willing to give a pension of Rupees 16 per mensem to each of the three applicants, on the clear understanding that the allowance in each case is to cease on the death of the recipient.

2. At this late period, it appears to His Excellency in Council inexpedient to raise the question of charging the allowance to the Mysore State.

No. 11. ORDER THEREON, 17th November 1870, No. 371.

Ordered that a copy of the foregoing letter be furnished to the Government Agent, Chepauk, for communication to Syed Mahomed, Meer Raza Hoossain, and Meer Mahdy Hoossain.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 12. Read the following letter from G. L. MORRIS, Esq., Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George, dated Vallam, 29th October 1870, No. 103.

With reference to G. O., dated 24th January 1870, No. 30, I have the honour to report on paragraphs 6 and 8 of the letter from the Honourable the Colonial Secretary, Colombo.

2. The majority of the Kandians, whose pensions have reached the third life, are willing to commute their pensions for a capital sum, provided the terms are sufficiently liberal to enable them to purchase land or engage in some sort of business.

3. In the absence of the scale on which the capital sum is to be calculated, these Kandians are backward to commit themselves to a decided answer. I would, therefore, recommend that the rate of commutation be first fixed, and then an offer made to each Kandian to have his pension commuted, and I have no doubt but that it will gladly be accepted without exception.

4. The question, therefore, is what is the rate at which these pensions can be commuted with advantage. In the case of life pensioners of the Tanjore Raj, the following rates of commutation according to their age were sanctioned by Government, and is at present in force:—

Age of Pensioners.	Number of years' purchase.
Under 10 years	13
,, 10 to 20 years	12½
,, 20 to 25 ,,	12
,, 25 to 30 ,,	11½
,, 30 to 35 ,,	11
,, 35 to 40 ,,	10½
,, 40 to 45 ,,	10
,, 45 to 50 ,,	9½
,, 50 to 55 ,,	9
,, 55 to 60 ,,	8
,, 60 to 65 ,,	7
,, 65 to 70 ,,	6
above 70 ,,	5

5. There are eight Kandian pensioners of the third life, as noted in the margin, whose stipend will be found to vary from Rupees 58-5-4 to Rupees 2-8-0 per mensem. I have not been able to obtain full information from these persons as to their age, &c., in order that the capital sum may be calculated at the foregoing rates; but I have no hesitation in stating that, if these rates are to be applied to their cases, the result will not be very favourable to them. I would, therefore, recommend that the rates to be allowed to these men may be somewhat more liberal.

	RS.	A.	P.
Venkatramaswami Rajah	58	5	4
Vejayrajadevi	44	3	6
Padmanabaswami	2	8	0
Perumal Naik	2	8	0
Bungaru Ammal	9	0	0
Thorasami Naik	3	0	0
Venkataramaswami Naik	3	0	0
Palanisami Naik	3	0	0

6. With reference to paragraph 8 of the Colonial Secretary's letter above quoted, the condition of the pensioners of the third generation having thus been disposed of, I have to make my suggestions regarding the remaining Kandians. I can conceive no better plan than allowing them also to have their pensions commuted, which alone is likely to avert the contingency of their falling into a condition of hopeless poverty. These pensioners are of either the first or second life, and they should, in my opinion, be allowed the option of having their pensions commuted also, but on more favourable rates than those of the third life. I would suggest that these rates should be double or treble the rates fixed for the third life according as the pensioners are of the second or first life. I may add that most of the pensioners are of the second life, there being no less than forty-one individuals of this class, whilst of the first life there are only eight.

No. 13. To the Hon. the Colonial Secretary, Colombo, dated Fort Saint George, 23rd November 1870, No. 374.

I am directed by His Excellency the Governor in Council, with reference to paragraphs 6 and 7 of your letter, dated the 29th December last, No. 77, to submit, for the information of His Excellency the Governor of Ceylon, the enclosed copy of a letter received from the Government Agent at Tanjore.

29th October 1870, No. 103.

2. In this letter, Mr. Morris expresses his opinion that the majority of the Kandian pensioners of the third lives will be willing to commute their pensions for a capital sum, provided the terms are sufficiently liberal to enable them to purchase land or engage in some sort of business. Mr. Morris has given, as some guide in framing the rates of commutation, the scale which was sanctioned by Government in the case of the life pensioners of the Tanjore Raj, but he unhesitatingly affirms that these rates would prove unduly unfavourable in the case of the few third life Kandian pensioners. As regards the remaining Kandian pensioners of the first or second life, Mr. Morris recommends the adoption of the system of commutation, but on more favourable rates than those of the third life. He suggests that the rates should be double or treble the rates fixed for the third life, according as the pensioners are of the second or first life.

3. The Government have deferred making any definite proposals to the Kandian pensioners of any of these classes, as they consider it desirable that they should previously be in possession of the view taken by the Ceylon Government of the proposal made by the Government Agent at Tanjore.

4. I am at the same time to state that His Excellency in Council is of opinion that Mr. Morris' suggestions regarding the rates of commutation are moderate and deserving of adoption by the Government of Ceylon.

5. While His Excellency in Council would regard with much satisfaction a measure which, if accepted, may, in some degree, afford the means of rescuing the Kandian pensioners from their present unfortunate condition, he is, for the reasons stated in his Minute, recorded in the Proceedings of this Government, dated 14th July 1869, strongly of opinion that all the Kandian pensioners who may express a wish to return to their native country should be permitted to do so, and that a free passage should be given them.

6. His Excellency also considers that it is very desirable that the Government of Ceylon should send to this country an Officer invested with full authority to deal with the question of the commutation of the allowances of the Kandian pensioners, and able to advise them according to the circumstances of each case, and with a full knowledge of Ceylon, whether it will be for their benefit to return to their native country. This is a duty which, His Excellency thinks, can more appropriately and more successfully be performed by an Officer of the Government of Ceylon to whom these pensioners should look for protection and relief, than by an Officer of the Madras Government.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 14. Read the following despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor in Council, Fort Saint George, dated India Office, London, 20th October 1870, No. 17 (Political):—

I forward, herewith, for the use of your Excellency's Government, copy of Consular Instructions issued by the Foreign Office for the guidance of Officers under their control.

No. 15. ORDER THEREON, 23rd November 1870, No. 375.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 16. Read the following despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor in Council, Fort Saint George, dated India Office, London, 20th October 1870, No. 16 (Political):—

With reference to your Excellency's Political letter, No. 4, of the 29th July 1870, relative to the inconvenience experienced by the authorities subject to your Excellency's Government from the existence of a small French settlement within the municipal limits of Masulipatam, I transmit, herewith, for your Excellency's information, copy of a despatch* which I have addressed to the Government of India respecting a similar state of things existing at Balasoor.

* Political Despatch, No. 122, dated 20th October 1870.

Despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 20th October 1870, No. 122 (Political).

I have received and considered in Council the Foreign letter of your Excellency's Government, No. 180, of the 26th August last, relative to the inconvenience experienced by the local authorities of Balasoor owing to the small patch of territory belonging to the French Government being exempt from the jurisdiction of our Judicial Courts.

2. I am fully sensible of the inconvenience referred to, and will not omit, on a fitting occasion, to urge on Her Majesty's Foreign Secretary the propriety of seeking to obtain from the French Government such concessions as will modify or remove it.

3. But, in the present state of affairs in France, it is impossible to take any steps towards the desired end.

No. 17. ORDER THEREON, 24th November 1870, No. 376.

Communicated to the President of the Municipal Commission at Masulipatam, with reference to G. O., dated the 29th July last, No. 944-A.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers:—

No. 18. Translation of a letter from His Excellency the Governor of the French Settlements in India, to His Excellency the Right Honourable the Governor of the Presidency of Fort Saint George, Madras, dated Pondicherry, 17th November 1870, No. 26.

I have recourse again to your Excellency to request that you will be so good as to authorize the Collector of South Arcot to remit me a bill for Rupees 4,000, payable by the Collector of Malabar to the order of the Chief of the Service of Mahé.

2. I shall be obliged if your Excellency will, at the same time, give instructions to Mr. Reade for the payment to the Treasurer of the French Settlements in India of the moiety of the third instalment of the annual allowance of four lakhs due to France by the British Government, the sum of Rupees 20,000 beingdeducted, that being the amount (1) of bills already issued in favour of the Chiefs of the Service at Mahé and Yanam, and (2) of the new bill, for the remittance of which I am now applying to your Excellency.

Referred for the report of the Accountant-General.

FORT SAINT GEORGE, (Signed) H. E. STOKES,
21*st November* 1870. *Under Secy. to Govt.*

No. 252.

No. 18-A. ENDORSEMENT.

Budget and Resource Department.

The Accountant-General has the honour to report that the Collector of South Arcot has this day been instructed to pay from the Treasury at Cuddalore to the Treasurer of the French Government the sum of Sicca Rupees fifty thousand, being a moiety of the third instalment now due of the rent payable to France for the year 1870 under Treaty, dated 7th March 1815, after deducting the advances made on that account.

FORT SAINT GEORGE, (Signed) F. LUSHINGTON,
22*nd November* 1870. *Accountant-General.*

To the Chief Secretary to Government, Fort Saint George.

No. 19. To His Excellency M. BONTEMPS, Governor of the French Settlements in India, dated Fort Saint George, 25th November 1870, No. 377.

I have the honour to acknowledge the receipt of your Excellency's letter of the 17th instant, No. 26, and to acquaint you that the necessary orders have been issued for the Collector of South Arcot to issue a bill in favour of the Chef de Service de Mahé for Rupees 4,000 and for the disbursement at Cuddalore of the moiety of the third instalment of the rent due to France for the year 1870, after deducting 20,000 Rupees on account of the advances specified in your Excellency's letter.

Accept, Sir, &c.,

(Signed) NAPIER.

No. 20. Read the following letter from the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 28th November 1870, No. 329:—

I have the honour to forward, herewith, the following letters and articles, received by me from His Highness Prince Azeem Jah Bahadoor, for transmission to Government.

Two Persian letters* (with English translations and a nuzzur of twenty-one gold mohurs each) addressed by His Highness the Prince to His Highness the Nizam, offering the Prince's congratulations, one on His Highness' accession to the throne, and the other on the commencement of His Highness' education.

* Enclosed in Khureetas.

One Persian letter,† with English translation, addressed by His Highness to Sir Salar Jung, as Prime Minister of His Highness the Nizam, forwarding the above letters to His Highness.

† Enclosed in a Khureeta.

One Persian letter, with English translation, addressed by His Highness to the Right Honourable the Governor, requesting His Lordship to transmit the above letters to their addresses, and also requesting the good offices of Government with respect to a jaghire which His Highness the Prince claims from His Highness the Nizam.

From His Highness Prince AZEEM JAH BAHADOOR, to His Excellency the Right Honourable the Governor in Council, Fort Saint George, dated Shadee Mahul, 15th November 1870, No. 86.

I have deemed it expedient and polite to write a letter of congratulation to His Highness the Nizam of the Deccan on the occasion of the celebration of his "Bismillah Khani" (putting to school) ceremony. But, as it is necessary that I should first congratulate His Highness on his accession, I have also written a congratulatory address on that occasion. I now beg to enclose the addresses, with translations, and the forty-two gold mohurs forming the nuzzurs therein alluded to, and shall deem it a favour if your Excellency will be so kind as to oblige me by causing their transmission to His Highness the Nizam of the Deccan, together with the accompanying letter to Mookhtar-ool-Moolk Sir Salar Jung Bahadoor, His Highness' Prime Minister.

2. I take this opportunity to state that I addressed a letter to the Government of Hyderabad on the 24th Shawal 1274, corresponding with the 7th June 1858, soliciting therein the restoration to me of the jaghire of Aiman Kandlah, which was zufted by that Government on the demise of my nephew, the late Nawab Mahomed Ghouse Khan, and I requested the Madras Government to do me the favour to despatch the same through the proper channel. The Government were kindly pleased to forward the khureeta to the Government of Hyderabad through the British Resident at that place.‡ Up to the present time I have received no reply to my request. As this jaghire was granted to the grandchildren of Anver-ood-deen Khan, my forefather, viz., Hisam-ool-Moolk and Nusseer-ool-Moolk in consideration of his faithful services, and, as the original grantees were not the ruling Nawabs of the Carnatic, the jaghire in question had no connexion whatever with the Carnatic Musnud. I, therefore, request your Lordship will be kind enough to remind the Prime Minister of His Highness the Nizam of my address of the 24th Shawal. What more?

‡ E. M. C., 7th July 1858, No. 428.

(True translation.)

(Signed) HYDUR JUNG.

Translation of a letter addressed to His Highness the Nizam of the Deccan.

After respectful obeisance, I beg to submit that praised be God that he has conferred upon your Highness power and greatness, and by this means realized the wishes of all people. This has caused unbounded happiness to your Highness' well-wishers. On this happy occasion I have the honour to tender to your Highness my respectful congratulations, and to send you a nuzzur of twenty-one gold mohurs through the English Government, and beg your Highness' acceptance of the same. I discovered the year of your Highness' accession in your Highness' name as follows:—

A new sovereign in the Deccan has been installed. He has removed sorrow from the minds of people. When I inquired the name of that sovereign from a news retailer, he told me Meer Mabh-ool Ally Khan Bahadoor is the person.

As long as the heavens are resplendent with stars, may Providence by His grace keep your Highness' rule prosperous.

What can I represent more?

Dated 20th Shabauool Moazzum 1287 Hijiree.

Translation of a letter addressed to His Highness the Nizam of the Deccan.

After due deference to your Highness and prayers to the Almighty for the prolongation of your Highness' life and increase of wealth, I have the honour to state that, during the most auspicious period, when the highest congratulations were offered, the joyful news of the performance of your Highness' "Bismillah Khani" ceremony was heard by me with the greatest joy, while your Highness' well-wishers realized their earnest expectations with the profoundest happiness and pleasure. May the Almighty make this joyful ceremony a matter of congratulation to all the well-wishers of your Highness' rule, and bestow upon your Highness abundantly both divine and earthly knowledge, and keep your shadow continued on the heads of the people for a long period of years. I offer my congratulations to your Highness with much respect, and send to you a nuzzur of twenty-one gold mohurs through the English Government. The following two poems offering benedictions which occurred in my mind may be approved by your Highness:—

1. May the merciful God make the accession of your Highness to the Musnud of Deccan most glorious.

2. The commencement of your learning the "Khoran" be most propitious, and may your rule be safe from decline.

I further hope that your Highness will show your favours to me and my sons, even as your Highness' revered forefathers have shown the same to my ancestors.

What can I represent more?

Dated 20th Shabauool Moazzum 1287 Hijiree.

Translation of a letter addressed to Mookhtar-ool-Moolk Sir Salar Jung Bahadoor.

Nawab Saheb, exalted in virtues, kind in heart, appreciator of my position, kind to the sincered. May his favour be continued.

The earnestness of the desire to see you is unexpressible; leaving it to your heart, which knows everything, I say—

The swelling of love in two hearts is like the same kind of wine contained in two bottles.

That, during these days, I have sent two addresses to His Illustrious Highness, one congratulating His Highness on his auspicious accession to the Musund, and the other on the occasion of His Highness' "Bismillah Khani," together with forty-two gold mohurs as nuzzurs through the English Government, and trust you will be so good as to submit them to His Highness and oblige. May the Almighty God cause this happy occasion to be auspicious to you as well as to all well-wishers. Having found out the era of your Regency, I have composed the following verses, and trust the same will be found acceptable:—

1. During the time of the present ruler of the Deccan, and previously,
2. The noble Duke Mookhtar-ool-Moolk Bahadoor became the able Minister.
3. As he obliterated every vestige of vice in his administration,
4. My mind said that he is highest Regent of the period.

Favour be continued.

Dated 20th Shabauool Moazzum 1287 Hijiree.

(Sealed) SIRAJ-OOL-OOMRAH AZEEM JAH.

No. 21. ORDER THEREON, 30th November 1870, No. 380.

The Government Agent will inform His Highness Prince Azeem Jah Bahadoor that the khureetas and forty-two gold mohurs which accompanied them will be sent to the Resident at Hyderabad for transmission to His Highness the Nizam of Hyderabad, and to His Excellency Sir Salar Jung, K.C.S.I.

2. His Excellency in Council regrets that he is unable to make any communication to the Government of His Highness the Nizam on the subject of the jaghire claimed by His Highness Prince Azeem Jah Bahadoor.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 22. To the Resident at Hyderabad, dated Fort Saint George, 30th November 1870, No. 381.

I am directed to forward the enclosed khureetas with nuzzurs, amounting to forty-two gold mohurs, addressed by His Highness Prince Azeem Jah Bahadoor, to His Highness the Nizam of Hyderabad, and to His Excellency Sir Salar Jung, K.C.S.I., and to request that you will be so good as to take the necessary steps for their delivery.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers:—

No. 23. Petition from SAVITRE DEVI, widow of Rajahdhi Rajahsimulu Maharajah, son of the late ex-King of Kandy, residing at Tanjore, to His Excellency the Governor in Council, Fort Saint George, dated Tanjore, 17th September 1870 (P. No. 2000).

ABSTRACT.—Represents that, as she has a vow to the be offered up to the Deities Meenatchee Umman and Alager, in the District of Madura, she purposes to proceed there in the month of October next with her father Koomarasawmy Naick.

2. Prays, therefore, that Government will be pleased to grant her leave of absence for six months; to issue orders to the Government Agent to pay her six months' pension in advance, as was done on the 24th January 1859 through Brigadier White, the then Commandant of Vellore; to appoint one Hurkarah, one Deloyet, and two Constables to attend upon her; to permit her to set out with the conveyances, implements, &c., enumerated in the petition; and to issue orders to the Collector of Madura to direct the Sthanikars of the Pagoda to make provision for the due fulfilment of her vow in the Covil with honour and without the pressure of the crowd.

Referred to the Government Agent, Tanjore, for report.

(By order)

FORT SAINT GEORGE,
22nd October 1870.

(Signed) H. E. STOKES,
Under Secy. to Govt.

No. 23-A. From the Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George, dated Vallam, 12th November 1870, No. 107.

With reference to the endorsement on petition, No. 2000 of 1870, from Savitre Devi, widow of Rajahdhi Rajasimulu Rajah, son of the late ex-King of Kandy, requesting leave for six months to proceed to Madura for the performance of certain vows, as also for an advance of her stipend for that period, I have the honour to state that there appears to be no objection to the leave being granted, and the advance of her stipend being made, as the same is supported by a precedent (*vide* G. O., 6th March 1862, No. 87). Her request, therefore, may be complied with.

No. 24. ORDER THEREON, 30th November 1870, No. 382.

The Government permit Savitre Devi, widow of Rajahdhi Rajasimulu Rajah, son of the late ex-King of Kandy, with her father and the relatives and servants named in the margin, to proceed to Madura for six months, and authorize the advance to her of Rupees (380) three hundred and eighty, to be recovered from her stipend (Rupees 63-5-4) by monthly instalments of Rupees 35.

1 Savitre Devi, daughter-in-law of the late ex-King of Kandy.
8 Male and female relatives.
8 Do. do. servants.

2. The Collectors of Tanjore and Madura will be directed to afford the aid of a peon.

(Signed) R. S. ELLIS,
Chief Secretary.

A.

POLITICAL DEPARTMENT.

TABLE OF CONTENTS

TO THE

Proceedings of the Madras Government

For the Month of December 1870.

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and Dates of previous Proceedings.	6 Page.
		1870.			
1 & 2	*Carnatic.*—Views of the Government of India requested in the case of one Gholam Ghouse, a Carnatic Jaghire Stipendiary who was transported for inciting to rebellion, and who, on his return, has applied for the restoration of his pension.	1st Dec., No. 385.	....	Judicial, 13th April 1870, Nos. 33—36.	317
3 & 4	*Government Pensioners.* —The Collector of South Canara requested to submit certain information connected with the family left by the deceased pensioner, Mahomed Jalaludeen, to enable the Government to decide upon the propriety of continuing the pension to the family.	6th Dec., No. 389.	....	....	319
5 & 6	*Carnatic*—Interference with the arrest of Mouzuz-ood-Dowlah (son of Prince Azeem Jah) who escaped from the Sheriff's Custody, declined.	6th Dec., No. 391.	....	....	321
7 & 8	*Carnatic.*—The payment, at the Vellore Stipend Pay Office of the pensions of Syed Mahomed, Meer Raza Hoossain, and Meer Mahdy Hoossain, from the date of Tahira Begum's death, sanctioned.	9th Dec., No. 398.	....	17th Nov. 1870, Nos. 10 & 11.	322
9—11	*Travancore.* — The financial statement of this State for the Malabar year 1045 closing on the 14th August 1870 reviewed.	9th Dec., No. 400.	....	23rd April 1870, Nos. 23 & 24.	322
12—14	*Cochin.* — The Acting Resident called upon, before a definite opinion is pronounced by Government, as to the best means of providing for a Court of final appeal at Cochin, to report on the constitution and working of the Court of ultimate appeal in Travancore.	9th Dec., No. 401.	....	....	334

1 Index numbers of the Proceedings.	2 Subject.	3 Date of Proceedings.	4 Date of report to Secretary of State for India.	5 Numbers and Dates of previous Proceedings.	6 Page.
		1870.			
14-A, 14-B., & 14-C.	*French Government* informed that the Collector of South Arcot has been authorized by the Accountant-General to grant a bill on the Collector of Tanjore for Rupees 25,000 in favour of the Chef de Service at Karikal.	13th Dec., No. 412.	....	....	341
15 & 18	*Carnatic.*— Orders passed on a petition from Mohadin Alli Khan claiming Rupees 8,340-13-8 as a part of a debt due to him by the late Nabob and secured on a lease of the Moortoozapettah Estate.	14th Dec., No. 413.	....	....	342
19 & 20	——— Copy of a letter from the Government of India stating that the Secretary of State has declined to inferfere with the decision of the Madras Government sanctioning an allowance of Rupees 150 per mensem to Rahman-oo-Nissa Begum, the accepted daughter of the late Nabob of the Carnatic, ordered to be furnished to the Government Agent, Chepauk, with a view to the decision of the Home Government being communicated to Rahman-oo-Nissa Begum.	16th Dec., No. 418.	....	13th Jan. 1870, Nos. 24—26.	345
21 & 22	*Bigun Pully Jaghire.* — Letter from Nawab Syed Futtah Alli Khan Bahadoor, of Bigun Pully, expressing his thanks for the Letters Patent conferring on him the Jaghire of Bigun Pully, recorded.	19th Dec., No. 420.	....	....	346
23 & 23	*Rashood Dowlah Bahadoor.*— Application to the Government of India for an increased stipend to him.	19th Dec., No. 421.	....	....	347

POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of December 1870.

No. 1. Read the following papers :—

To

HIS EXCELLENCY THE RIGHT HONOURABLE
FRANCIS NAPIER, *BARON* NAPIER, K. T.,
Governor of Madras.
&c., &c., &c.

The humble petition of GHOLAM GHOUSE SYED.

RESPECTFULLY SHEWETH—

That your petitioner addressed a representation to your Excellency, and sent it to the Government Office at Fort Saint George, for transmission to your Excellency.

2. That, in that petition, your supplicant brought to notice certain circumstances which led to his transportation from Madras to the Andaman Islands and his subsequent restoration to freedom, and your supplicant prayed that, as a gracious and merciful Government had been pleased to accord your petitioner freedom, it would also, with that freedom, give your petitioner the means of his livelihood which he possessed before his deportation from Madras, so as to enable him to continue in the paths of prosperity and good conduct. That the allowance which he drew was the sum of Rupees 12 from Government and Rupees 7 from the Carnatic Sirkar. That with this trifle your humble supplicant will he able to live for the rest of his life in quiet and peace, but your Excellency's Government have declined to grant this small act of mercy and humanity.

3. That His Excellency the late Viceroy of India set an example of noble generosity and commiseration in respect to those who joined in the notorious rebellion of the North-West Provinces, not only restoring them to liberty, but also giving them back their property and lands. Your Excellency is undoubtedly not less generous, nor less liberal, and your supplicant, therefore, throws himself at your Excellency's feet and prays that your Excellency will be graciously pleased to rescue him from death by starvation.

4. That your Excellency's supplicant, if he did wrong, was punished by deportation. That your Excellency's supplicant endured that punishment patiently, and won for himself a good character at a time when the darkest passions of the soul are evoked and aroused.

5. That, in proof of his good character, your Excellency's supplicant begs to refer to the testimonials attached to the original petition herein enclosed, and, in consideration of his improved conduct, his determination to lead a quiet and virtuous life, and the severe punishment he has undergone, your Excellency's supplicant prays that your Excellency will be graciously pleased to accord to him the means of pursuing the paths of virtue and good citizenship by causing the allowances drawn by him before his misfortune to be paid to him.

For which act of generosity, your petitioner, as in duty bound, shall ever pray.

MADRAS, (Signed) غلام غوث سعيد
27th October 1870. GHOLAM GHOUSE SYED.

No. 322.

No. 1-A. REPORT called for by Government Official Memorandum, dated 10th November 1870, No. 522, concerning the two stipends held by Gholam Ghouse Syed, prior to his conviction and transportation.

Gholam Ghouse Syed held a Carnatic Jaghire stipend of Rupees 12 per mensem as one of the family of the late Mullik Mahomed Ali Khan. The stipend was granted to him by Extract from the Minutes of Consultation, 16th May 1837, No. 158. This was the only stipend he held from Government, but His Highness the late Nawab was pleased to confer on him a Becar (charitable or sinecure) allowance of Rupees 7 per mensem, of which he was in receipt at the time of His Highness' death. On account of this latter allowance, he was entitled to receive from Government, as a stipendiary of 1855, a stipend of Rupees 3-8-0 per mensem. But, before this stipend could be issued, he was convicted of a treasonable offence and transported to the Andamans. In consequence of this, his stipend of Rupees 12 per mensem was reported by this office to the Auditor-General, in the Monthly Lapse Register, dated 1st February 1858, as having lapsed under Act No. XIV. of 1857 (which is, perhaps, a clerical error for No. XI.), and no steps were taken towards issuing the stipend of Rupees 3-8-0. I do not find in the records any copy of a special report to Government on the subject. It seems probable that the case was so notorious at the time that special report was thought unnecessary.

CHEPAUK, (Signed) R. S. WILSON,
16th November 1870. *Government Agent.*

To the Chief Secretary to Government, Fort Saint George.

No. 2. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 1st December 1870, No. 385.

I am directed by His Excellency the Governor in Council to request information, for the guidance of the Madras Government, in the following case.

2. One Gholam Ghouse was tried and convicted under Act XI. of 1857, and sentenced to transportation for life to the Tenasserim Coast. His offence was, affixing placards of a highly seditious character on houses in Triplicane, the Mussulman quarter of Madras, and thereby instigating persons to rebellion.

3. On the 13th April last, Gholam Ghouse was, after undergoing transportation for twelve years, released and allowed to return to Madras.

4. At the time of his conviction, Gholam Ghouse was in receipt of a pension of 12 Rupees per mensem, as a Carnatic Jaghire Stipendiary, from Government, and he also enjoyed a charitable allowance of Rupees 7 from the late Nawab of the Carnatic. In lieu of this last, he would have been entitled, under the rules, to an allowance of Rupees 3-8-0 per mensem; but orders on this had not been issued at the time when he was transported. He now applies for the restoration of his pension as a Carnatic Jaghire Stipendiary, and the stipend above described, in lieu of the charitable allowance which he received from the late Nawab, making a total of Rupees 15-8-0 per mensem.

5. Before deciding upon this application, His Excellency in Council is anxious to be informed of the course observed by the Government of India in similar cases, and whether it would be in accordance with their policy to grant the prayer of Gholam Ghouse.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 3. Read the following Proceedings of the Board of Revenue, dated 1st July 1870, No. 4634:—

Read the following letter from the Officiating Collector of South Canara, to the Acting Secretary to the Board of Revenue, dated Venur, 30th May 1870, No. 687:—

I have the honour to report, for the information of the Board, that Mahomed Jalaludin, a Government pensioner, on receipt of Rupees 56-9-4 per mensem, died on the 12th November 1869.

2. The pension was originally granted to Mahomed Hellim, father of the deceased pensioner, and after his demise was continued to his son, the deceased.

3. Abdul Hassan, the late pensioner's son, now requests* that the pension may be continued in his family.

* His petition enclosed.

4. I beg to state that the records of my office, prior to 1837, having been destroyed during the Coorg insurrection, I am unable to ascertain whether the pension was granted in perpetuity to the family of the original grantee, or whether it was to terminate at the demise of his son. I, therefore, enclose, for the Board's information, the documents marginally noted, which were produced by the petitioner, and request that, before I hold any inquiry into the claims of the members of the deceased's family, to enable me to submit the usual tabular report, I may be favoured with instructions as to

1. Certificate of grant issued by Colonel A. Wellesly to Mahomed Hellim, dated 19th July 1799.
2. Copy of do. do.
3. Extract from a letter from the Chief Secretary to Government, to the Resident at Mysore, dated 11th February 1801.
4. Letter from the Chief Secretary to Government, to the Principal Collector of Canara, dated 24th April 1832.

whether the continuance of the pension to the family of the deceased is to be considered as permanent.

ENCLOSURE No. 1.—Petition.

ENCLOSURES Nos. 2 to 5.—Documents.

Submitted for the orders of Government.

2. The original grant was to petitioner's father "to continue so long as his conduct was satisfactory;" and in their order of the 11th February 1801, two-thirds of the pension is "continued to his family."

3. In 1833, however, on the application of his son (now deceased), the Government ordered that the pension was not to be considered "hereditary;" but at the same time remarked that "the time had not then come for considering whether any further grant should be made."

(A true Copy and Extract.)

(Signed) J. B. PENNINGTON,
Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department.

Transferred to the Pension Department.

OOTACAMUND, (Signed) H. W. WELLESLEY,
12*th August* 1870. *Actg. Under Secy. to Govt.*

Transferred to the Political Department.

(Signed) H. E. STOKES,
Under Secy. to Govt.

No. 4. ORDER THEREON, 6th December 1870, No. 389.

It is clear that the pension enjoyed by Mahomed Jalaludin was not hereditary, and that its continuance, if it be continued, will be a matter of grace.

2. In order that Government may be in a position to decide upon the propriety of continuing it, the number of members, the circumstances, and the position of the family left by the deceased pensioner must be reported.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 5. Read the following letter from the Sheriff of Madras, to the Chief Secretary to Government, Fort Saint George, dated Madras, 3rd December 1870, No. 588:—

I have the honour to request that you will bring to the notice of the Right Honourable the Governor in Council the following circumstances.

2. On Thursday the 24th ultimo, Mouzzuz-ood Dowlah Bahadoor, a son of His Highness Prince Azeem Jah Bahadoor, was arrested under a warrant of the High Court in execution of a decree in Original Suit No. 193 of 1868, wherein Bhagmull Lallah is plaintiff and the said Mouzzuz-ood Dowlah Bahadoor and Mahomed Yarkham Bahadoor are defendants. Shortly after the arrest, Kothum Soobba Row, the officer who made it, was assaulted and overpowered by a number of persons through whose assistance Mouzzuz-ood Dowlah Bahadoor was rescued from the custody of the officer and enabled to effect his escape.

3. The facts connected with the arrest and escape have been deposed to on oath by the officer and a number of other persons who were present on the occasion and saw what happened, two of the deponents being Police officers attached to the Jemadar's tannah at Triplicane.

4. I am informed that the said Mouzzuz-ood Dowlah Bahadoor has, since his escape and up to the present time, been living at the Shadee Mahul under the protection and control of the Prince.

5. I have, however, received a letter written by Messrs. Prichard and Barclay on behalf of His Highness, in which they state that Mouzzuz-ood Dowlah Bahadoor is not living in the Shadee Mahul, and warn me to search for him in that place at my peril, from which, as there is every reason to believe the information as to his having found shelter there is correct, I am led to suppose he must be concealed in the house unknown to His Highness the Prince.

6. It is now my imperative duty, in order to secure the legal rights of Mouzzuz-ood Dowlah Bahadoor's execution creditors and to maintain the dignity and authority of the High Court whose process has been forcibly set at defiance, to adopt all the steps in my power to retake the said Mouzzuz-ood Dowlah Bahadoor, and I may very probably be compelled to enter the Shadee Mahul itself with a view to effect this.

7. Under these circumstances, I have the honour respectfully to request that the Right Honourable the Governor in Council will be pleased to move His Highness Prince Azeem Jah Bahadoor to cause inquiry to be made, and, should it appear that Mouzzuz-ood Dowlah Bahadoor is concealed in the Shadee Mahul, to surrender him into my custody.

8. In the event of His Highness satisfying himself that his son is not to be found in the Shadee Mahul, I solicit that he may be asked to use his influence to induce him to surrender himself voluntarily.

9. I have the honour to request the favour of an early reply to this letter, as it is absolutely necessary I should take prompt action in this matter.

No. 6. ORDER THEREON, 6th December 1870, No. 391.

The Government are unable, as requested, to interfere in the matter to which the letter above recorded refers.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 7. Read the following letter from SYED MAHOMED, MEER RAZA HOOSSAIN, and MEER MAHDY HOOSSAIN, residing in Nazim Jung Bahadoor's Street, Triplicane, to the Chief Secretary to Government, Fort Saint George, dated Madras, 25th November 1870:—

After tendering our heartfelt and unlimited gratitude to the benevolent and paternal Government, we respectfully beg to represent that we were favoured, through the Government Agent at Chepauk, with a copy of Proceedings of Government, Political Department, dated 17th November 1870, No. 371, sanctioning a pension of Rupees 16 to each of us, and we humbly beg your honour to order the payment of our pension at Vellore through the Officer in charge of the "Two-lakh Fund."

2. For which act of charity and compassion we shall ever feel grateful.

No. 8. ORDER THEREON, 9th December 1870, No. 398.

The Government sanction the payment of the pension in question at the Vellore Stipend Pay Office. The pension will be paid from the date of Tahira Begum's death.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 9. From the Acting Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George, dated Trevandrum, 31st October 1870, No. 76.

I have the honour to forward the financial statement of the Travancore State for the last Malabar year, closing on 14th August 1870, together with the accompanying explanatory letter from the Dewan.

2. Comparing the total receipts of the year, Rupees 51,34,007, with the total disbursements, Rupees 54,41,138, there results a deficit of Rupees 3,07,131 ; but, on analysis of the items, it will be found that most of this apparent deficit is caused by expenditure not ordinary in its nature, and which may fairly be charged against the funds accumulated by the economy of previous years, and not against the income of the year. Before proceeding to this point, I will, however, briefly review the items constituting the revenue of the year.

3. The land revenue, which forms the most important item, had risen in the previous year to the highest point ever attained, and the diminution experienced this year, to the extent of about Rupees 21,000, has been caused by the unfavourable nature of the season. It is singular that, while throughout the Madras Presidency the country has this year been favoured with an unusually heavy rainfall, South Travancore has suffered from absolute drought, and even at Trevandrum the registered rainfall of the year, thirty inches to date, is not half what has fallen in the town of Madras. There has been a complete failure of what we should call the early rice crops in South Travancore, and I anticipate that the effect of this will be more felt on the revenues of the present, than of the past Malabar year.

4. To the north of Trevandrum drought is absolutely unknown, and the cultivators there are always more subject to difficulty from excess than from want of water.

5. The increase in the miscellaneous revenue of Rupees 96,000 is due chiefly to chance windfalls, the nature of which is explained by the Dewan and need no remark.

6. Travancore, with the rest of India, has suffered from the depression of trade, and the customs show a decrease of Rupees 44,000. Considering that all European trade has absolutely ceased since the declaration of war between France and Prussia, I should have been surprised at any other result.

7. The decrease in the revenue from tobacco amounts to Rupees 61,000; about two-thirds of this loss is attributable to the reduction of the import duty, the remainder to a slight decrease in importation. It is noteworthy, however, that reduction in the rate of taxation, amounting to eight per cent., has apparently had no tendency to increase consumption.

8. The large increase in the salt revenue, amounting to Rupees 98,000, is due to the enhancement of the price by the English Government. That this enhancement has in no way checked consumption is an unquestionable sign of the prosperity of the population.

9. The Cardamom revenue may, in some respects, be compared with the Opium revenue of the British Government in India. The Travancore territory is the chief producer of this spice, of which the State maintains the monopoly in its own hands. The whole produce of the country is bought by the State at fixed rates, and sold by auction for exportation. The revenue is, therefore, entirely raised from the foreign consumers, and is so much pure gain to Travancore. Unless production be greatly increased in other territories, which seems unlikely, this item of revenue appears to stand on a safe foundation. It is, however, subject to fluctuations, incident on the extent of the yearly produce of the spice, which is dependent on the season.

10. In the last year, the outturn was very deficient; and although, in consequence, the price realized was far above the average (for the price appears to be regulated solely by the amount which Travancore can put into the market), the

revenue suffered materially. Great attention has been recently paid by the State to this cultivation, and proportionate results may be anticipated when the new gardens arrive at maturity.

11. There is a slight increase in the revenue from the sale of timber; but more than one-half of the sales effected were to the Public Works Department of the State, so that the nominal receipt is counterbalanced by a *per contra* charge. It is quite right, however, that such transactions should be entered in the accounts.

12. Comparing the total receipts with those of the previous year, there is a net increase of Rupees 48,362, and it will be remarked that the enhancement in the price of salt has come to the assistance of the finances in what would otherwise not have been a very prosperous year, and enabled the Dewan to record the above increase in place of a decrease of half a lakh.

13. I now come to the disbursements, which circumstances have made peculiarly heavy during the past year.

14. The cost of the religious and charitable institutions, amounting together to the large sum of Rupees 8,80,000, shows an increase of more than Rupees 30,000, caused by the concurrence of several ceremonies, which will be considered shortly. The Dewan states that this increase will not recur, and I trust that such will be the case. The system of so called charity, which consists in supporting one favoured class of the community at the expense of the whole, is one that ought to be restricted within the narrowest limits. I do not think its abandonment will ever be possible in Travancore; but the Sirkar is very sensitive to foreign opinion. It is aware that this outlay is not viewed favourably by the political opinion of the day, and I believe that it has no desire to increase expenditure in this direction.

15. The increased expenditure in the palace has been caused chiefly by the Maharajah's visit to Madras to meet Prince Alfred, and, I need hardly remark, was necessary under the circumstances.

16. The ordinary expenditure on Civil, Judicial, Police Establishments, the Nair Brigade, and pensions require no comment.

17. I am glad to say there was an increase of expenditure of Rupees 27,000 on education, and of the large sum of Rupees 3,62,000 on Public Works details concerning which would be out of place in a financial statement, while it will suffice to state that I consider the condition of these two Departments specially creditable to Travancore.

18. The remaining items requiring comment are the expenses of the three ceremonies, which took place within the year, at a total outlay of Rupees 3,76,619. Of these, the Moorajebbom is a sexennial ceremony, while the Tholabarom occurs only once in a reign; the fact of the two falling on one year is fortuitous, but the expenditure, according to the customs of Travancore royalty, was as unavoidable as that of a coronation in England on the accession of a new Sovereign. Any

breach of such customs would, in India, be most unpopular with all classes, and it is expenditure of this nature which distinguishes Native States from our own Government of India, and give the former their hold on the popular mind.

19. The ceremony attendant on the thread investiture of the 2nd Prince was, of course, imperative, and the concurrence of all these ceremonies in one year had probably the advantage of causing more economy to be used in all of them than would otherwise have been the case.

20. In paragraph 27, the Dewan points out that much of the expenditure of the year may fairly be considered extraordinary, and that, after making deductions for these, the accounts of the past year would shew a surplus of five lakhs, instead of a deficit of a little more than three. A manipulation of figures in this way is not very satisfactory, and may be effected much according to the fancy of the operator. I do not consider that the extra outlay on public works can be considered extraordinary, in such a way as would have justified the incurrence of debt to enable these works to be carried out. They are not specially remunerative; they are the ordinary improvements of the State.

21. The visit of His Highness to Madras, and the thread investiture of the 2nd Prince, although not ordinary items of expenditure, are of such a nature that they ought to be disbursed out of the annual income of a State like Travancore.

22. On the other hand, the Moorajebbom ceremony being sexennial, its cost can fairly be divided between the six years that have elapsed since it was last held, charging only one-sixth to the current revenue.

	RS.
Moorajebbom	1,94,752
Tholabarom	1,61,177
	3,55,929
One-sixth Moorajebbom	32,458
	3,23,471

23. The Thoolabarom occurring once in a reign, its cost may fitly be provided for out of the savings effected by previous years of economy. Deducting the whole cost of the Tholabarom and five-sixths of the Moorajebbom ceremonies as extraordinary expenditure to be paid for out of the State savings, the expenditure of the year is reduced by Rupees 3,23,471, and the equilibrium more than maintained.

24. Sir Madava Row very properly pays the greatest attention to maintaining a surplus in the finances, and his careful economy in previous years has produced the most successful results. In my opinion the most favourable feature in the present statement is the fact that the large items of extraordinary expenditure that have fallen within the year have not caused any curtailment in the more useful outlays of the State. The expenditure on education has not been stinted, and funds have been liberally supplied for prosecuting useful public works.

25. I need only add that the nominal deficit has been met out of the cash balances, which are left ample for all present wants, and it has not been necessary to reduce the funded property of the State.

Dr. ACCOUNT CURRENT of Receipts and Disbursements of the Tranvancore State for the year 1045 (1868-69). Cr.

		RS.	RS.
1	Balance as per last year's account...	....	45,76,246
2	Land Revenue...	16,66,950	
3	Miscellaneous Revenue ...	6,09,182	
4	Judicial Fees, &c. ...	1,17,418	
5	Customs ...	3,63,822	
6	Arrack and Opium ...	1,00,605	
7	Tobacco ...	7,75,031	
8	Salt ...	9,57,228	
9	Cardamoms and other goods ...	2,06,767	
10	Timber ...	1,08,074	
11	Interest on Government securities...	1,73,393	
12	Arrears of revenue collected this year ...	55,537	
			51,34,007
	Total......	....	97,10,253

		RS.	RS.
1	The Devasom or religious institution ...	5,59,243	
2	Ootooperah or charitable do. ...	3,21,572	
3	The Palace ...	5,42,603	
4	Huzzoor Cutcherry and other Civil Establishments.	5,62,219	
5	Judicial Establishment ...	1,54,969	
6	Police Establishment ...	1,33,242	
7	Nair Troops ...	1,53,631	
8	Elephant and Horse Establishment ...	67,649	
9	Education, Science, and Art ...	1,14,545	
10	Pensions...	1,21,912	
11	Public Works ...	9,67,801	
12	Cost and charges of goods sold, &c., &c...	3,52,902	
13	Contingent Charges...	2,00,608	
14	Subsidy to the British Indian Government ...	8,10,652	
15	Expenses of the sexennial Moorajebbom ceremony..	1,94,752	
16	Do. of the Thoolapurushadhanom do. ...	1,61,177	
17	Do. of the Thirumadamboo, or thread investiture of the young Princes...	20,690	
		54,40,167	
	Amount part of inefficient balance now charged to account...	971	
			54,41,138
	Balance to be carried to next year's account...	....	42,69,115*
			97,10,253
	* In Cash...	8,29,166	
	Promissory Notes...	26,72,384	
	Deposited at Interest in the Bank at Alleppy.	3,05,357	
	Goods ...	2,64,087	
		40,70,994	
	Difference or inefficient balance...	1,98,121	
	Total......	42,69,115	

TREVANDRUM,
29th October 1870.

(Signed) T. MADAVA ROW,
Dewan.

From Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore, to the Acting Resident in Travancore and Cochin, dated Trevandrum, 29th October 1870, No. 4307—R. 1224.

I have the honour to submit, herewith, the usual statement showing the receipts and disbursements of this State for the Malabar year 1045, corresponding with 1869-70 of the Christian era.

2. The land revenue of the antecedent year having chiefly, in consequence of a favourable season, risen to a point higher than ever before, it could not be expected to maintain the same level in a less favourable season. In the year under review, the Cunny or September crop partially suffered in the Southern Districts, and remissions of tax in some instances, and forbearance in the collection of it in others, became necessary. Hence the fall in the receipts to the extent of about 21,000 Rupees.

3. Under the head of "Miscellaneous Revenue," the Sirkar has realized a sum of about 96,000 Rupees in addition to that of last year. A number of items have contributed to this favourable result, and the principal of them may be briefly noticed. Refunds and recoveries of various kinds gave about 33,000 Rupees. The sale proceeds of school books in the Sirkar's Depôt, and which had not for some years been brought to credit, have yielded about 30,000 Rupees. The sale of surplus paddy in the public granaries brought an accession of about 17,000 Rupees.

4. The receipts under the next head of the account current, viz., "Judicial Fees, &c.," show a difference against the year of about 34,000 Rupees. A good part of this difference is attributable to reasons similar to those explained in paragraph 4 of my last financial statement.

Vide letter, No. 4314, dated 6th October 1869.

5. Inclusive of the export duty on pepper (*vide* paragraph 10 of last financial statement), the collections under the head of "Customs" have amounted to nearly 3,64,000 Rupees, being less than those of the preceding year by about 44,000 Rupees. The export trade of the year felt great depression, especially in the products of the cocoanut tree, which alone show a falling off in duty to the extent of nearly 43,000 Rupees. There was a not inconsiderable loss of duty from other items of export, but it was neutralized by increased receipts from coffee and pepper. To what causes the depression in question was due, it is difficult to predicate with certainty. It may be partly that the season was unfavourable, and partly that the gravitation of foreign markets was sluggish. But there is no reason to apprehend that the customs duties were evaded in consequence of slack control at the collecting offices, for, the exports from the neighbouring British Port of Cochin manifest an analogous diminution.

6. Passing over the revenue from the Arrack and Opium farms as it shows a slight variation, but on the right side, we have now to notice that prolific source of indirect taxation, viz., "Tobacco." The income from this branch denotes a loss of upwards of 61,000 Rupees, a considerable sum. About 40,000 Rupees out of this, is, however, the direct result of reduction of the import duty. It is only the residue that forms the measure of diminished consumption, which expresses a variation of less than three per cent., a variation which might occur in any year, being by no means excessive.

7. The salt sales maintained their level in regard to quantity, but the sale proceeds contributed an accession of upwards of 98,000 Rupees, the selling prices having been raised in accordance with a similar measure carried out by the British Indian Government.

8. In the year under notice, the forests yielded a much smaller crop of cardamoms than in the previous season, and the adverse effect of this circumstance on the receipts under this head has been very large. Measures are in progress for the extension of the area of production, but they will take some years to bear fruit.

9. The revenue derived from timber, the produce of the Sirkar forests, shows an advance of about 17,000 Rupees. The receipts entered under this head embrace a sum of about 59,000 Rupees, being the value of teakwood purchased by the Public Works Department for various structures in progress.

10. A considerable portion of the cash balance, you are aware, has been invested in public securities, so as to yield interest rather than lie idle in the coffers till actually required. Inclu-

sive of arrears drawn in the year under review, the interest on such investment amounted to a sum in excess of last year's receipts by nearly 62,000 Rupees.

11. The last item being self-explanatory, I have to observe that the gross revenue of the State for the last two years compares as follow :—

	RS.
For 1045	51,34,007
For 1044	50,85,645
	48,362

shewing an increase of not much less than half a lakh of Rupees.

12. Turning to the contra side of the account current the first two heads, viz., Devasom and Ootooperahs, shew together an increase in the disbursements to the extent of about 31,000 Rupees. These branches of expenditure are obviously very sensitive to the influence of those costly religious ceremonies which the Maharajah performs in deference to ancient and established custom. An unusual conjunction of such ceremonies marks this year, as will be seen hereafter, and it is rather a matter for congratulation that the excess in question is no higher than it is. But the expenditure will return to its normal condition.

13. The Palace expenditure also has risen by about 72,000 Rupees owing to temporary causes. About 41,000 Rupees out of the excess is the extra expense incident to His Highness the Maharajah's journey to Madras to meet His Royal Highness the Duke of Edinburgh. The rest appears due, partly to the extraordinary ceremonies above alluded to, and partly to the purchase of ornaments, payment of arrears due to certain merchants, &c.

14. The following head of the account, viz., "Huzzoor Cutcherry and other Civil Establishments," cost about 35,000 Rupees in addition to the expenditure of last year. In noticing this head in my last financial statement, I observed, "The salaries in the Cardamom, Commercial, and Registration Departments were raised, and a special establishment for the more careful administration of the Cardamom Hills was organized. The effect of these measures will appear more prominent in the next financial statement." And this effect has now made itself apparent. I may add that, in the year itself, further progress was made in the amelioration of salaries. For instance, the scale of remuneration in the Medical Department was revised and raised; the salaries of the Peishcars were increased.

15. The Judicial branch of the service, too, has participated in the benefit. About 5,000 Rupees have also been laid out in the formation of a library of useful books of reference on law for the use of the Judges, the quality of judicial work requiring to keep pace with the increasing exactitude demanded by the progress of the people.

16. Passing over without comment the slight variation in the aggregate of Police charges, I have to explain that the additional expenditure under the head of "Nair Troops" is chiefly the consequence of new clothing supplied in the year.

17. The disbursements under the head of "Education, Art, and Science" have risen by about 27,000 Rupees, chiefly on account of extended agency in the Educational Department, both English and Vernacular. The latter of these branches stands in need of further development, as the Vernacular Schools are extremely popular, and it is the aim of the Sirkar to place education as well as justice and medicine within easy reach of the masses.

18. Pensions have slightly increased owing to a few retirements in the year.

19. The outlay on public works is certainly the largest ever incurred by the State. Large as the previous year's outlay was, that of this is higher still by 3,62,000 Rupees, which was wholly due to increased disbursements to the Chief Engineer. The scientific agency in this direction has been considerably extended, and the sphere of its work enlarged. Two most costly and important works of an extraordinary character are, as you are aware, in active progress, viz., the piercing through of the Wurkullay barrier to complete the water communication from the Capital to the

Northern frontier, and the system of roads across the Western Ghauts to connect Trevandrum and Quilón with Shencottah, and the contiguous regions of the British province of Tinnevelly. A commodious College building, several District Cutcherries, Hospitals, Schools, Irrigation Works, Bridges, &c., are also in progress. The full details will, as usual, be given in the Administration Report. I will here only remark that, at the rate now attained in the construction of useful works, in a few years, the country may expect to have some reason to be proud of its improvements.

20. "Cost and charges of goods sold, &c.," have fallen by about 24,000 Rupees, chiefly because the cardamom crop purchased from the ryots who collect it fell so much short, and the cost of Bombay salt was less.

21. The two following heads require no explanations, and, therefore, we now come to the extra-ordinary ceremonies of the year.

22. The first of these was the Moorajebbom, which is performed once in six years. It cost more than the last ceremony of the kind, because the prices of provisions have so much advanced in the interval.

23. The second ceremony was the Tholabharm, which, as has been more than once before stated, is a sort of coronation, performed *once in a reign.* Its cost was less than of the last ceremony of the kind, the saving in this instance more than neutralizing the additional cost entailed by the Moorajebbom. Thus the two ceremonies, viewed together, cost much less than those that preceded them.

24. The third and last ceremony, too, was so controlled as to lead to a saving.

25. I must repeat that these ceremonies do not in the least indicate any new extravagance, though their happening to occur in the same year may make them more prominent in their combined incidents on the finances. His Highness the Maharajah is most anxious to avoid opening new sources of such expense or enlarging old ones, though he feels that ancient and time-honoured customs, connected with religion and sanctioned by the popular opinion, cannot be summarily set aside. It was, perhaps, not otherwise than an advantage that so many of these ceremonies were got through at once at a time of financial prosperity, and their concurrence contributed to economy in several respects.

26. The gross charges of the last two years compare as follows :—

For 1045	54,40,167
,, 1044	45,35,088
Excess...	9,05,079

and the charges of the one under review exceed the receipts by 3,06,000 Rupees in round numbers.

27. These are features, in character and degree, obviously by no means desirable, though they have been accounted for, I trust, not unsatisfactorily. I need only briefly remind you that, excluding the extraordinary expenses of the year as noted in the margin, the ordinary charges come to about 46,29,000 Rupees, which, far from inflicting a deficit, would have left a surplus of upwards of 5,00,000 Rupees.

	RS.
His Highness' visit to Madras	41,000
Excess in Public Works	3,62,000
The three ceremonies together	3,77,000
On account of do. excess in Devasom and Ootooperahs	31,000
Total...	8,11,000

28. The more satisfactory features of this financial statement are that the revenue of the State is not less, but even somewhat larger than in the preceding year ; that, notwithstanding the occurrence of heavy extraordinary expenditure, the energies of the Government in the direction of Public Works have not sustained any check, but, on the contrary, have been put forth beyond all precedent ; and that, in proportion as the finances have felt the strain of extra expenditure this year, they will feel relief for the future.

No. 10. From the Acting Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George, dated Trevandrum, 1st November 1870, No. 77.

I have the honour to forward the prospective financial statement of the Travancore State for the current Malabar year, together with copy of the accompanying explanatory letter* from the Dewan.

* No. 4339, dated 31st October 1870.

2. For the purposes of comparison, I have caused the actual receipts and disbursements of the last year to be entered in the statement, and it will be found that the Dewan has been careful to estimate his receipts at figures which are probably lower than the reality will prove.

3. The large decrease in the land revenue provides for the remission necessary in South Travancore by the recent drought, which I have brought to notice in my review of the financial statement of the last year. It is not requisite for me to go over all the items noticed by the Dewan, but I trust that a much larger revenue will be obtained from cardamoms this year than is here estimated, as the prospects of the crop are reported to be very promising.

4. With reference to the proposed scale of disbursements, I need only add that a rigid Budget system is not in force in Travancore, and that, if the resources of the year prove greater than has been anticipated, a larger sum may be devoted to Public Works, should circumstances allow of such expenditure being usefully enhanced.

5. It will be remarked that additional provision has been made for education, and there is every reason to anticipate a safe balance of the finance.

From Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore, to the Acting Resident in Travancore and Cochin, dated Trevandrum, 31st October 1870, No. 4339—R. 1238.

I have the honour to submit, herewith, a statement shewing the estimated receipts and disbursements for the current Malabar year, viz., 1046, corresponding with 1870-71.

2. I may premise that the income is very moderately estimated, while the expenditure is somewhat liberally calculated, the object being to be on the safe side.

3. I will make a few remarks only where the variation of the estimates of the current year from the actuals of the last are considerable.

4. To begin with the receipts. The south-west monsoon having been almost a failure in the southern taluqs, extraordinary remissions for waste and also for perished crops have become necessary. Hence, the estimated land revenue is below that of last year by nearly 67,000 Rupees.

5. It is a very difficult matter to estimate the miscellaneous receipts with much approach to accuracy, as they form a sort of elastic head of account to comprise very numerous items which cannot find a place under other heads. I have estimated them less by about 59,000 Rupees, chiefly because last year's receipts embraced the sale proceeds of school-books and surplus grain to an extent which cannot be expected in the present year.

6. The collections under the head of "Judicial Fees, &c.," must also be expected to fall, owing to the reasons specified in my report on the actuals of last year.

7. In calculating the amount realizable under "Customs," allowance has been made chiefly for diminished production, and consequently diminished export of pepper. The season has not been favourable for this staple, and, moreover, the pepper crop seems to be prolific and scanty in alternate

years, and last year was of the former character. The European war might also exercise a depressing influence on trade generally.

8. More is expected from the Arrack Farms in consequence of higher rents.

9. The collections from tobacco may be higher to the extent entered in the account owing to larger consumption.

10. About 33,000 Rupees have been added to last year's actual revenue from salt in order to arrive at the present year's estimate, solely because the enhancement of the selling price of salt operated only for a part of last year, whereas it is expected to operate throughout the present.

11. Cardamoms, &c., are estimated to yield slightly in excess of last year. This is a most precarious source of revenue. The officer in charge of the department informs me that the growing crop is much more satisfactory than last year's. If so, the estimate may be happily found to be considerably underrated.

12. As the Engineer's Department is not likely to purchase so much teak as during the last year, the receipts will be less to the extent of the difference between the present estimate and last year's actuals.

13. The interest from the British Indian, &c., securities for last year embraced some arrears. The present estimate is just about one year's dues.

14. The total of the gross estimated revenue amounts to 49,60,000 Rupees, which is less than that of last year by about 1,74,000 Rupees. But if the actuals vary, I have reason to expect the variation will rather be on the right side.

15. Turning to the other side of the account, I have to observe that the expenditure on Davasoms and Ootooperahs, being expected to return to its normal condition, is estimated so much less.

16. A similar remark applies to the palace expenditure.

17. His Highness the Maharajah having just sanctioned increase of salaries to some hundreds of minor servants drawing each, on an average, much less than 10 Rupees per mensem, allowance has been made for this in the estimate under the head of "Huzzoor Cutcherry and other Civil Establishments."

18. The charges of the Judicial Department are estimated slightly less, because no material additions are to be made to the Law Library as in the last year.

19. You are aware that new arms are to be supplied to the Nair troops, and that these will probably cost about 35,000 Rupees. Hence the increased charges expected.

20. More Vernacular Schools will probably be founded, and the outlay on education, &c., somewhat enlarged in other directions also. Hence the present enhanced estimate.

21. I doubt if the Public Works Department will, in the current year, be able to lay out as much as in the last, and, therefore, I have put down a lower figure. But the State, I need hardly say, will not grudge useful expenditure in this direction.

22. Contingent charges are, on the whole, likely to fall short of those of last year, though a larger supply of medicines for the hospitals is found necessary.

23. The gross expenditure amounts as estimated to 48,94,000 Rupees, which falls short of the actual expenditure of last year by nearly 5½ lakhs of Rupees.

24. And the expenditure is expected to be below the income by about 66,000 Rupees.

25. It is thus clear that the income and expenditure of the State will bear proper relation to each other in the current year. The actual surplus will, I am sanguine, be greater than the foregoing figures indicate.

PROSPECTIVE ACCOUNT of Receipts and Disbursements of the Travancore State for the year 1046 (1870-71).

Dr.		Receipts of 1045 RS.	RS.	Cr.		Disbursements of 1045 RS.	RS.
1	Land Revenue ...	16,66,950	16,00,000	1	The Devasom or religious institution ...	5,59,243	5,40,000
2	Miscellaneous Revenue ...	6,09,182	5,50,000	2	The Ootooperah or charitable do. ...	3,21,572	3,00,000
3	Judicial Fees, &c. ...	1,17,418	1,00,000	3	The Palace ...	5,42,603	4,80,000
4	Customs, &c. ...	3,63,822	3,50,000	4	Huzzoor Cutcherry and other Civil Establishments	5,62,219	5,77,000
5	Arrack and Opium ...	1,00,605	1,14,000	5	Judicial Establishment ...	1,54,969	1,50,000
6	Tobacco ...	7,75,031	7,80,000	6	Police do. ...	1,33,242	1,33,000
7	Salt ...	9,57,228	9,90,000	7	Nair Troops ...	1,53,631	1,75,000
8	Cardamoms and other goods ...	2,06,767	2,08,000	8	Elephant and Horse Establishment ...	67,649	68,000
9	Timber ...	1,08,074	1,00,000	9	Education, Science, and Art ...	1,14,545	1,26,000
10	Interest on Government Securities ...	1,73,393	1,33,000	10	Pensions... ...	1,21,912	1,23,000
11	Arrears of revenue to be collected ...	55,537	35,000	11	Public Works ...	9,67,801	8,75,000
				12	Cost and charges of goods sold ...	3,52,902	3,47,000
				13	Contingent charges ...	2,00,608	1,90,000
				14	Subsidiary to the British Indian Government ...	8,10,652	8,10,000
						...	48,94,000
					Balance...	...	66,000
		51,34,007	49,60,000			50,63,548	49,60,000

E. E.,

(Signed) T. MADAVA ROW,
Dewan.

TREVANDRUM,
31*st October* 1870.

No. 11. ORDER THEREON, 9th December 1870, No. 400.

From the financial statement of the Travancore State for the Malabar year 1045, closing on the 14th August 1870, submitted by the Acting Resident, it appears that the total receipts of the year were 51,34,007 Rupees, and the total disbursements Rupees 54,41,138, thus exhibiting, at first sight, a deficit of Rupees 3,07,131; but a closer inspection shews that this is caused by extraordinary expenditure, which may fairly be charged against the funds accumulated during former years, and not against the income of the year under review. Under this view, five-sixths of the expenses of the necessary sexennial religious ceremony called "Moorajebbom," and the whole cost of the "Tholabarom," which corresponds to the ceremony of coronation in other countries, may be regarded as extraordinary expenditure. These two items amount to Rupees 3,23,471. Deducting this amount, the financial equilibrium between receipts and expenditure has been more than realized.

2. The land revenue, which, in the previous year, had reached the highest point ever known, Rupees 16,88,580, has decreased during the year under report by Rupees 21,000. This decrease has been caused by the unfavourable nature of the season. The Government learn with regret that the drought which has led to this loss will, from its continuance, be more seriously felt during the current year.

3. The general stagnation of trade has operated injuriously on the Travancore customs, which exhibit a decrease of 44,000 Rupees.

4. The revenue derived from cardamom, of which spice the Travancore State holds a monopoly, has decreased, owing to the adverse season. It appears that the State is bestowing great attention on this cultivation, which is likely to prove a most profitable source of revenue.

5. There has been a decrease of 61,000 Rupees in the revenue from tobacco, which is attributed partly to a reduction in the import duty, and partly to a slight decrease in importation. It is observed that the reduction of eight per cent. in the tax has not led to increased consumption.

6. The large increase of salt revenue, amounting to 98,000 Rupees, was caused by the enhancement of the price by the British Government. It is, as remarked by the Acting Resident, very satisfactory that there has been no reduction in the consumption.

7. The increase of 96,000 Rupees in the miscellaneous revenue is owing to windfalls; such as refunds and recoveries of various kinds; sale proceeds of school books in the Government Depôt, which had not previously been brought to credit; and the sale of grain which had accumulated in the public granaries.

8. Comparing the total receipts with those of the previous year, there is a net increase of Rupees 48,000.

9. The most notable feature in the statement of disbursements, during the year, is the cost on account of religious and charitable establishments, which amounted to Rupees 8,80,000, being an increase of 30,000 Rupees. This increase will not, however, be permanent. From the prospective statement of the current year, it appears that there will be a decrease under this head of Rupees 40,000.

10. The increased expenditure in the palace is justified by the Maharajah's visit to Madras to meet His Royal Highness the Duke of Edinburgh.

11. The large expenditure of Rupees 3,76,619 on the ceremonies of Moorajebbom, Tholabarom, and the thread investiture of the 2nd Prince, appears to have been in accordance with custom and unavoidable. It is satisfactory to learn that no undue extravagance attended these ceremonials, and that this expenditure has in no manner curtailed the outlay required for Public Works, Education, and the improvement of the various other branches of the administration.

12. On Public Works the grant was increased by 3,62,000 Rupees, the total expenditure under this head having been 9,67,801 Rupees during the year under report.

13. His Excellency the Governor in Council has much pleasure in being able again, this year, to congratulate His Highness the Maharajah of Travancore and his Dewan, Sir Madava Row, on the continued prosperity of the Travancore State, and on the success which has attended their efforts to improve the administration of the country.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers:—

No. 12. From J. I. MINCHIN, Esq., Acting Resident in Travancore and Cochin, to the Dewan of Cochin, dated Trevandrum, 9th May 1870, No. 378.

I beg to draw your attention to the annexed article, taken from the *Cochin Argus* dated 8th April, which appears to bring to notice a state of things worthy of your careful consideration.

2. I shall be obliged by your informing me what system is at present in force with regard to appeals to His Highness the Rajah from the decrees of the Chief Court; what checks are imposed to their reception; how many such appeals, and of what dates, are now undisposed of; and upon what advice His Highness arrives at a decision in these matters.

3. I shall also be glad to receive from you any suggestions for placing this system of appeals on a sound basis, as a mere arbitrary interference with the decrees of the Courts must be productive of great evil.

From the Dewan of Cochin, to the Acting Resident in Travancore and Cochin, dated Ernacollum, 13th July 1870, No. 397.

I have the honour to acknowledge the receipt of your letter, No. 378, of the 9th May last, and to state, in reply, that the system, nominally in force with regard to appeals to His Highness the Rajah from the decrees of the Chief Court, is that recommended in Mr. Maltby's Official Memorandum of the 24th April 1862. In practice, however, it has been found difficult to procure the services of persons duly qualified to sit on the Commission which is to hear the appeal and submit a report to His Highness, as recommended in the said memorandum, and hence no such appeals have been so heard and disposed of.

2. The want of qualified Commissioners is the great difficulty in the disposal of these cases; but a few rules, prescribing the procedure to be observed in such cases, are also very much required. For want of these, appeals to His Highness are more numerous than they should be.

3. There are at present forty-six appeals remaining undisposed of, viz., of 1040 M. E., 7; of 1041, 10; of 1042, 2; of 1043, 11; and of 1045, 7. Some of the appeals presented to His Highness have been rejected on a perusal of the decrees of the Appeal Court, and a few have been remanded to the Appeal Court, for the re-consideration of their decrees, for reasons stated in the order of reference. In such cases His Highness passed his orders upon the advice of his Dewan.

4. As you are expected here shortly, I think it would be better to defer, for the present, the consideration of measures necessary for placing the system of appeals on a sound basis.

From J. I. MINCHIN, Esq., Acting Resident in Travancore and Cochin, to the Dewan of Cochin, dated Trevandrum, 3rd August 1870, No. 573.

I have the honour to acknowledge the receipt of your letter of the 13th July, No. 397, regarding appeals from the Chief Court now pending before His Highness the Rajah of Cochin.

2. You state that the system is nominally that prescribed in Mr. Maltby's Memorandum of the 24th April 1862; but that, practically, a difficulty has been found in carrying out the provisions there laid down in the impossibility of securing the services of persons duly qualified to sit on the Commission of Appeal.

3. I have referred to the Memorandum of Instructions to which you refer, and can understand the difficulty that has arisen on the point mentioned by you. Still the general principles on which the system devised by Mr. Maltby was founded appear to me sound, and, with slight modifications, should, I think, be scrupulously adhered to in this matter.

4. It is clear that appeals of this nature should not be encouraged, and, except in cases of a decided failure of justice, the ordinary jurisdiction of the Courts should not be interfered with.

5. To prevent the admission of appeals on frivolous pretexts, Mr. Maltby laid down two most wholesome provisions—first, that no appeal should be admitted against a decision of the Appeal Court, unless the person appealing deposits in Court a sum equal to the costs of both parties in the Appeal Court, to be forfeited if his case be not made good; second, the execution of any decree or process by the Appeal Court should not be arrested unless the appellant to His Highness deposits in the Court a sum of money equal to the award.

6. I do not gather from your letter that those provisions have been carried out with reference to the numerous appeals now pending before His Highness, and I beg to recommend that those provisions be now rigorously enforced, and that, with reference to the pending appeals, the parties be called on to deposit the costs at once, failing which such appeals should at once be struck off the file.

7. When this preliminary has been fulfilled, the party appealing to His Highness should be heard; and, considering the difficulty of procuring competent members for the Commission suggested for the purpose by Mr. Maltby, I beg to recommend the following course as the least objectionable under the circumstances.

8. The appeal to His Highness should be heard openly by the Dewan, and if that officer concurs in the propriety of the decree passed by the Appeal Court, His Highness the Rajah should confirm that decree. If the Dewan be of opinion that the decree should be reversed or modified, he should record his reasons to that effect. His opinion should then be returned to the Appeal Court for any observations the Judges may wish to make, and should be forwarded with those observations for the consideration of the Resident. Upon the advice of the Resident His Highness the Rajah should pass final orders in the matter.

9. I would urge this question being brought speedily to the consideration of His Highness, who, I trust, will concur in the advisability of the measures now recommended by me.

10. I cannot but think that, by a laxity in the mode of receiving appeals by His Highness, discredit is at present cast on the judicial administration of the State, for which a prompt remedy is required.

No. 61.

MEMORANDUM.

True copies forwarded to the Chief Secretary to Government, Fort Saint George, for information of Government.

TREVANDRUM, (Signed) J. I. MINCHIN,
4th August 1870. *Acting Resident.*

To the Chief Secretary to Government, Fort Saint George.

No. 68.

No. 13. MEMORANDUM.

The Acting Resident in Travancore and Cochin has the honour to forward, herewith, copy of Mr. Maltby's Official memorandum, dated the 24th April 1862, as requested by the Chief Secretary to Government in his Memorandum, No. 16, of 15th instant.

TREVANDRUM, (Signed) J. I. MINCHIN,
31st August 1870. *Acting Resident.*

To the Chief Secretary to Government, Fort Saint George.

No. 635.

Memorandum on further measures required with reference to the Courts of Cochin.

The Act for simplifying the procedure of the Civil Courts has been promulgated in Travancore, and a copy of it has been adopted to the State of Cochin by the Dewan.

The promulgation of this Act will complete the arrangements as originally proposed; but a few subsidiary rules are requisite for the smooth and efficient working of the new system. These have reference—first, to the administration of criminal law; second, to the position of the Appeal Court with reference to the Dewan; and, third, to the rules under which appeals shall be received by His Highness the Rajah.

I proceed to state under each of these heads the measures which appear to me to be called for.

I have every reason to believe that, under the new constitution of the Courts, there has been a great improvement in the administration of both criminal and civil justice. Undoubtedly justice is more prompt, and I hope it is more efficient.

1st.—But in the administration of criminal justice there is a great want of a standard to guide the Judges in adapting punishment to crime, so as to render the action of the several tribunals uniform and consistent.

I, therefore, recommend that, as in Travancore, it be ruled that, whenever a person is convicted of any act which by the laws of Cochin is punishable criminally, the punishment shall be regulated by the schedules of crimes and punishments of the Penal Code of British India.

2nd.—The Dewan and the Judges of the Appeal Court have severally brought to my notice some points which, though not of much importance individually, still require to be clearly defined in order to prevent collision of authority.

One of the principal objects sought by the late arrangements has been to raise the Appeal Court from the subservient and degraded state into which it had fallen and to constitute a tribunal which should hold an honourable and independent position, liable only to the control of His Highness the Rajah as the fountain of justice to his people, to whom, as the supreme authority, there must be an appeal in the last resort as in every other State.

His Highness the Rajah has fully expressed his assent to the principle that this function is only to be exercised through his responsible Minister, the Dewan. No order is to be issued to the Appeal Court except by the Dewan under the command of His Highness. The Dewan is the responsible adviser of His Highness, and, should the Dewan think that the orders proposed to be issued would not be to the advantage of His Highness and his people, it would be the duty of the Dewan to represent the same to His Highness, and, if necessary, to seek the advice of the British Resident.

It has further been agreed by His Highness that no decision passed by his highest Court, the Appeal Court, should be set aside or altered until the case has been publicly heard by persons commissioned to advise His Highness in this matter, the Dewan being one of the *Commission*, and the others being approved *by the Resident.*

The several functions of His Highness the Rajah, of his Minister the Dewan, and of his highest Court appear to be thus defined with as much accuracy as is practicable. The object now must be to give the Appeal Court as honourable a position as possible without derogating from the proper authority of the Dewan, who, as the representative of the Rajah, should hold a watchful control over every department of the State, the Judicial Department included.

This object will be best obtained by relieving the Court from all interference in small and indifferent matters. At the same time the monthly and annual returns of the Courts will afford to the Dewan a full knowledge of the working of the Courts, and will enable him, after consulting the Resident, to lay before the Rajah any cases in which the interposition of the supreme authority is called for. In only such cases as these should the ordinary functions of the Appeal Court be interfered with.

With these preliminary remarks, I proceed to record my opinion upon the several matters referred to in the Appeal Court's Memorandum of the 20th March, in which they reply to a call for their opinion as to the measures necessary further to improve the position of the Court and the administration of justice.

In paragraph 1 the Court recommend the early promulgation of the Act for simplifying Civil Procedure, and the application of the schedule of crimes and punishments of the Penal Code of British India.	This is provided for above.
In paragraph 2 the Court propose the preparation of a Revenue Code.	This must lie over for the present. It is a work of difficulty for which the time has hardly yet arrived.
In paragraph 3 the Court recommend the preparation and promulgation, by authority, of a work on the Land Tenures and Law of Inheritance of the various races of Cochin.	Such a work would be highly valuable, and the Court offer an excellent suggestion that a prize be offered for the best compilation on this subject. This I recommend for adoption, and the Court should prepare, for approval, a Notification to this effect, when the concurrence of His Highness the Rajah should be requested.

Mr. Strange's little work on the Hindoo law as existing in Malabar would be an excellent model and groundwork for such a compilation.

But I would not recommend that such a work should be declared by authority to be law. It might, like other such compilations, be of great assistance to the Judges as well as to suitors, and gradually acquire such authority as to be recognised as sound law, and, where precedents upon the records of the Courts are quoted, this would especially be the case. But, as with Mr. Strange's book, it should rest on its own merits. When the law of any caste on any point is not already recorded in former precedents, the Courts must ascertain the law in the manner described in this paragraph of the Court's Memorandum by questioning the most respectable and judicious members of the caste.

This cannot be done by a private party with the view of compiling a law book, at least an opinion so obtained would not have legal authority. But the decisions of the neighbouring Courts of British India and Travancore would have great weight, and, if the proposed compilation should always quote authority for its statements, it will be of great value.

The Appeal Court will do well to apply, from time to time, to His Highness the Rajah for the purchase of such books as they consider it desirable to have at hand for consultation. Mr. Strange's book should be obtained at once.

4. *The proposed abolition of Sessions Courts* does not appear to me to be desirable, at any rate, until the Zillah Courts have been raised to a much higher standard than at present.

5. *The appointment of two new Moonsiffs* has my concurrence ; and as when this is the case there will be no suits filed in the Zillah Courts of less value than 100 Rupees, there will be no occasion for the Judges of those Courts to sit as Judges of Small Causes under present rules. But then I think it desirable to rule that the jurisdiction of Zillah Judges of Small Causes be extended to 300 Rupees, in order to expedite justice in those Courts whenever the file is sufficiently large to render this necessary.

6. *The order regarding the Sirkar Vakeels* proposed by the Court, viz., that they should conduct the causes entrusted to them and plead them as any other vakeels do, is obviously proper and necessary. The Sirkar Vakeels and all parties pleading before a tribunal must conform to the rules and orders of the Court, and shew every respect to the Judges, and do all in their power to lay their case clearly before the Court, and, as far as possible, lighten the labour of the Judges.

7 and 8. The subjects touched upon in these paragraphs are disposed of in the preliminary remarks of this memorandum.

With a regulated system of appeal and a provision made for remedying the errors of even the highest Court, the interposition of the Dewan in cases pending before the Courts can hardly ever be required. The Courts will be left to pass their judgments, and will be held responsible for them. The practice, therefore, of calling upon the Courts for explanation in regard to current cases of arresting their proceedings and issuing instructions to them will cease ; at least such serious interference with the Courts of justice should only take place on great emergency with due authority from His Highness. But this will not prevent the Dewan from calling upon the Courts for statistical returns and the records of decided cases, or other information necessary to enable him to judge of the working of the Courts, and submit for consideration such measures as he may deem necessary to improve the administration of justice.

9. The representations of the Court should be invariably laid by the Dewan before His Highness with the Dewan's advice on the matter.

10, 11, and 12. The Appeal Court should have authority over their own servants and over the subordinate Courts and their servants, and applications for leave, &c., should be made through the immediate superiors of the applicants. No advantage can arise from these functions being exercised by the Dewan, while the influence and authority of the Court is thereby weakened.

A scale shewing how many days' leave may be granted to their Court servants and to Moonsiffs by the Zillah Court, and how many to the same persons and to the Zillah Judges by the Appeal Court, should be prepared if it does not now exist. But I consider that no servant receiving higher pay than 25 Rupees a month, including Moonsiffs and Zillah Judges, should be absent for more than one month, and no Appeal Judge for more than three days, except on leave granted by His Highness on application through his Minister, the Dewan.

All subordinate servants should be appointed, punished, &c., by the Courts themselves, to be referred by the Zillah Court for confirmation by the Appeal Court when the value of the appointment exceeds 15 Rupees and the punishment exceeds a fine of a month's pay or suspension for one month, and to be referred by the Appeal Court for confirmation by His Highness the Rajah through the Dewan, when the salary of the appointment exceeds 30 Rupees, and when the punishment exceeds the above extent.

13. Each Court should prepare and submit to the Dewan direct its pay abstract, which should be passed in the Dewan's office and the money be sent for distribution by the Judges of the Court, a receipted pay table being returned to the Dewan.

14. The jails should, as at present, be under the Courts, but liable to visits from the Dewan, who must be recognised always as the Governor of the country and representative of His Highness the Rajah.

The Jail guards and establishments of peons have hitherto been under the control of the Dewan, and I do not see any occasion for altering the system at present.

The Dewan is also the proper person to determine in what manner the labour which the prison system places at the disposal of the State shall be employed.

15. The Court point out the very objectionable form in which the Commissions granted to the Government Vakeels are worked, and I think that the present opportunity should be taken for issuing them afresh.

16. I do not think it desirable that the 1st Judge should be exempted from holding sessions. It does not bring him more under the control of his colleagues than he is on the Civil side as one Judge out of three.

17. I think that all officers of the Sirkar should be enjoined to pay the same marks of respect, not only to the 1st Judge, but to each Judge, of the Appeal Court, as are paid to the Dewan Peishcar.

18. To give due dignity to the Court, the Court building should be made suitable in all respects, a raised seat being provided for the Judges, &c.

19. As requested by the Court, two peons with silver belts should be allotted to the 1st Judge, and one to each of the other Judges.

I have thus gone through the topics touched upon by the Appeal Court, and I have at the same time, I think, expressed my opinion on those referred to by the Dewan, except on the following points.

The Dewan objects to an authority assumed by the Judges of putting persons on trial who have not been committed by the Magistracy. The proper rule is that the Judges can put a person on trial for an offence committed in their presence, such as perjury, contempt of Court, assault in the presence of the Judge, but for no other. If, in the course of a trial, it appears to the Judges that a person not committed has been guilty of crime, their course is to hand him over to the Magistracy.

The Court object to any processes between the Dewan and the Zillah Courts except through the Appeal Court. To this the Dewan objects, and justly; such restriction would only impede business.

I feel full confidence that each of these authorities will exercise both judgment and discretion, and feel that the dignity of each is raised by supporting the legitimate authority and dignity of the other. The independence of the Judges in giving their judgments will not be interfered with ; any idea of dictating the judgment to be passed will be given up, but their judgments will be liable to review by the highest authority in the State, and the Dewan will keep a watchful eye upon the administration of justice in all departments.

There is one important subject which remains to be noticed. It is that of the manner in which appeal to His Highness the Rajah in Council shall be made, and in which charges against Judicial Officers shall be dealt with. The present practice of every losing party vilifying his Judge must be checked ; and, while due access to His Highness is open to all his subjects in the last resort, His Highness himself must be protected from frivolous complaints.

To ensure these objects, it is necessary that the Appeal Court should be recognised as the authority from which redress is to be sought, and no petition should be received by His Highness unless the party has sought redress through the legitimate channel.

The ordinary course of justice should only be interfered with on strong emergency. If a party impugns the decision of the highest Court, he should do so at considerable risk and only on serious grounds. I, therefore, recommend that no appeal be even heard by His Highness unless the

appellant has sought redress in the ordinary course, and that, when a decision of the Appeal Court is impugned, the person be required to deposit a sum equal to the costs of both parties in the Appeal Court, to be forfeited if his case be not made good. The execution of any decree or process of the Appeal Court should not be arrested unless the appellant to His Highness deposits in the Court a sum of money equal to the award.

When this is done, His Highness the Rajah will, if necessary, commission the Dewan and two or more other suitable persons to hear the appeal and report to His Highness whether, in their opinion, there is sufficient cause for declaring the decision of the Court erroneous and altering the decision. Should there appear to be so, His Highness will, with the advice of the Resident, issue a formal order to that effect.

It is to be carefully observed that there is a danger lest the tribunal thus provided should, instead of an extraordinary, become an ordinary tribunal—a mere Appeal Court. This is not intended, and it is not to be understood that every person has a right to demand such a trial. If, on perusal of the proceedings of the Appeal Court, His Highness is satisfied that the case has been fairly and judicially disposed of, he should decline to interfere with the ordinary course of justice and have the petition endorsed by the Dewan to that effect.

I hope that, by the above rules, a remedy in case of erroneous judgment or injustice will be ensured without multiplying litigation, and that His Highness will be enabled to watch the administration of justice and secure the happiness of his people without superseding the functious of his Judges.

I recommend to His Highness the full salaries of the Judges should now be paid as such long delay has occurred in promulgating the Act of Civil Procedure, and further that the subordinate servants of the Judicial Department be allowed suitable salaries. A scale of establishments will be prepared by the Dewan.

Cochin,
24*th April* 1862.

(Signed) F. N. MALTBY,
Resident.

To the Dewan of Cochin.

No. 14. Order thereon, 9th December 1870, No. 401.

From the correspondence forwarded under docket by the Acting Resident in Travancore and Cochin, His Excellency the Governor in Council learns that the Cochin Sirkar has under consideration the system, at present in force, with regard to appeals to His Highness the Rajah from the Chief Court.

2. From the Dewan's letter, it would appear that the recommendation for the constitution of an ultimate Court of Appeal, made by Mr. Maltby, when Resident at Cochin, has not been carried out.

3. Under Mr. Maltby's advice, it appears to have been agreed by the Cochin Sirkar that no decision by the Appellate Court of the Cochin State should be set aside or altered until the cause has been publicly heard by persons commissioned to advise His Highness, the Dewan being one of the Commissioners, and the others being appointed by the Resident. To guard against litigious appeals, Mr. Maltby suggested two provisions—

1*st*.—That no appeal should be admitted by the Rajah against a decision of the Appellate Court of Cochin, unless the person appealing deposits in Court a sum equal to the costs of both parties in the appeal suit, to be forfeited if the ultimate appeal was unsuccessful.

2nd.—That the execution of any decree or process of the Appellate Court should not be arrested unless the appellant to His Highness the Rajah deposits in Court a sum of money equal to the award against which the appeal is preferred.

4. It appears that in practice it has been found very difficult to constitute the Commission devised by Mr. Maltby, so that, in fact, a few of the appeals to His Highness the Rajah have been dismissed on a perusal of the records, while others have been remanded to the Appeal Court, for a re-consideration of their decrees, for reasons stated in the order of reference. In such cases His Highness has passed orders on the advice of his Dewan.

5. The Acting Resident has recommended the Dewan to enforce the prohibitory provisions against litigious appeals suggested by Mr. Maltby. Recognising the difficulty of constituting the Commission devised by Mr. Maltby, the Acting Resident has advised the Dewan that the appeal to His Highness should be heard in open Court by the Dewan, and, if that officer concurs in the propriety of any decree passed by the Appeal Court, such decree should be affirmed by His Highness. If the Dewan is of opinion that a decree should be revised or modified, he should record his reasons to that effect.

This opinion should then be returned to the Appeal Court for any observations the Judges may wish to make, and should be forwarded with those observations for the consideration of the Resident. Upon the advice of the Resident, His Highness the Rajah should pass final orders.

6. The Government entertain considerable doubt as to the expediency of the system recommended by the Acting Resident for disposing of appeals to His Highness the Rajah of Cochin, under which the Resident would take an active part in the administration of justice in the Cochin State. But, before pronouncing a definite opinion as to the best means of providing for a Court of final appeal, His Excellency the Governor in Council resolves to call upon the Acting Resident of Travancore for a report on the constitution and working of the Court of ultimate appeal in Travancore, with a view to determining whether, in this respect, the Cochin Sirkar should assimilate its administration of justice to that of Travancore.

8. With this report Mr. Minchin will, after conferring with the Dewan of Cochin, submit, for the approval of Government, such further proposals on this question as he may consider necessary.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 14-A. Read the following translation of a letter from His Excellency the Governor of the French Settlements in India, to His Excellency the Right Honourable the Governor of the Presidency of Fort Saint George, dated Pondicherry, 6th December 1870, No. 28:—

Application for a draft on the Collector of Tanjore for Rupees 25,000.

I have the honour to request that your Excellency will be so good as to authorize the Collector of Tanjore to pay to the Chief of the Service at Karikal the sum of Rupees 25,000 which may be deducted from the amount, due for the fourth quarter, of the annual payment of four lakhs.

2. If your Excellency should see no inconvenience in this transfer of funds, I beg that instructions may be given to the Collector of South Arcot to remit me a draft for that amount.

Forwarded to the Accountant-General for report.

(Signed) H. E. STOKES,
Under Secy. to Govt.

No. 14-B. From the Accountant-General, to the Chief Secretary to Government, Fort Saint George, dated Fort Saint George, 13th December 1870, No. 273.

Resource Department.

With reference to the endorsement of the Under Secretary to Government on a letter from His Excellency the Governor of the French Settlements in India, dated the 6th instant, I have the honour to report that the Collector of South Arcot has been authorized to grant a bill on the Collector of Tanjore in favour of the Chief of the Service at Karikal for Rupees 25,000, and to deduct the same from the amount of the fourth instalment of rent that will become due to France on the 1st proximo.

No. 14-C. To His Excellency M. BONTEMPS, Governor of the French Settlements in India, dated Fort Saint George, 13th December 1870, No. 412.

I have the honour to acknowledge the receipt of your Excellency's letter, dated the 6th instant, No. 28, and to acquaint you that the Collector of South Arcot has

been authorized by the Accountant-General to grant a bill on the Collector of Tanjore for Rupees (25,000) twenty-five thousand in favour of the Chef de Service at Karikal.

Accept, Sir, &c.,

(Signed) NAPIER.

Read the following papers :—

No. 15. From MOHIDIN ALI KHAN, son of the late SHARIF-OO-DIN, *alias* FAKIER SAHEB, Madras, dated 16th December 1869, No. 3136.

States that his father spent 20,000 Rupees for the construction of houses, botiques, &c., in Moortoozapettah, of Triplicane, by order of the late Nawab; that out of that sum 11,000 and odd Rupees have been paid to him by orders of the Nawab from the rents of the said property; and that, when the sum of 8,000 and odd Rupees was still due to him, the property was sold by the Receiver of the Carnatic Property, and so the payment of the money still due was stopped.

Prays for orders that the sum of Rupees 8,000 and odd due to his father in the said matter may be paid to him, with interest at twelve per cent., from the date of the stoppage of the monthly instalment.

No. 16. From J. GROSE, Esq., Receiver of the Carnatic Property, to the Chief Secretary to Government, Fort Saint George, dated Madras, 6th October 1870, No. 36.

A., with five enclosures.

I beg to acknowledge the receipt of Government petition (*A*), No. 3136 of 1869, in which Mohidin Ali Khan claims Rupees 8,340-13-8, as part of a debt due to him by the late Nawab and secured on a lease of the Moortoozapettah estate.

2. The petitioner is referred to me "as his claim is against the Carnatic estate," but my position is not such as to enable me to deal with it. Under Act XXX. of 1858, the Carnatic Receiver was empowered to pay such claims only on an

order of the High Court. Under the present Act (XXI. of 1868) he is not empowered to pay any debts of the estate. If the prayer of the petitioner is conceded, it must be by Government.

3. I have obtained a detailed statement of the petitioner's claim (*B*), which is herewith submitted. It is clear that a bond for Rupees 20,000 was given to Fakier Saheb (petitioner's father) on the 24th April 1855; that the Nawab then engaged to pay him Rupees 200 a month out of the Sirkar's Treasury; that six days previously, on the 18th of the same month, a fifteen years' lease was granted to Fakier Saheb, of Moortooza-pettah, at a monthly rent of Rupees 500; and that he was authorized to withhold Rupees 200 a month, towards payment of the debt of Rupees 20,000, on the ground that the money had been spent on the buildings, and that the title deeds which had been mortgaged to him had been taken back. The rest of the rent, after deducting establishment expenses, was to be paid to Moortooza Khan.

B.—Petition to be returned.

4. It appears that the agreements of the 18th April 1855 were acted upon, and that Rupees 200 a month was regularly withheld in payment of the debt from May 1855 to January 1860. Fakier Saheb then gave up the estate to Moortooza Khan who claimed it as his own, and after that only two isolated payments (*C*) are acknowledged by petitioner, one of Rupees 200 in December 1861, and one of Rupees 59-2-4 in March 1862. He, accordingly, declares that only Rupees 11,659-2-4 of the Rupees 20,000 has been repaid, and that Rupees 8,340-13-8 is still due.

C.—Accounts to be returned.

5. How far this account is true, I have no means whatever of judging. My clerk says that Mr. Dale, when the Moortooza case in which the petitioner, the son of Fakier Saheb, who had died, was an important witness, was about to be heard, offered to compromise the claim for Rupees 1,000, and when petitioner refused, said he would write to Government on the subject; but there are no papers relating to the matter on record in the office.

6. The only further light which I can throw on the subject is derived from the judgment (*D*) of the High Court in the Moortoozapettah case.*

D.—High Court Judgment.
* To be returned.

7. In that case Mr. Dale sued for a declaration of title against Moortooza Khan and others, and the argument turned chiefly on the nature of Fakier's connexion with the estate, and the force of the agreements mentioned above as proving that the Nawab was the owner in 1855.

8. The following passages occur in the judgment:— "It was argued that if the debt had been *bonâ fide* a debt of the Nawab, Fakier would have included it in his claim under Act XXX. of 1858.* The sufficient answer to this, as it appears to us, is that he was in receipt, for about eight years, of the rents and profits, and from 1855 Rupees 200 a month was expressly applied to the liquidation of the debt for repairs, and if, as is very probable, a similar arrangement existed prior to 1855, the debt would have been nearly liquidated; besides, to make out a claim under the Nawab's Act, he must have been prepared with evidence in detail of the work done, and the reasonableness of the charges, and, although Fakier's son says in part of his evidence that something still remained due, he was unable to afford any accurate information on the subject. His father was alive until about two years ago, and it appears that in 1860, five years after the Nawab's death, he gave up all right under his contract (as we must now take it), and ordered the rents to be paid to Ghoolam Moortooza. This, it was suggested, was done at that time, because, in the previous year, Ghoolam Moortooza had obtained from the Insolvent Court his discharge in the nature of a certificate. But the settlement with his creditors under the insolvency had taken place long before this; and, to give weight to the suggestion, the giving up of the contract and the rents by Fakier ought to have been very nearly contemporaneous with the settlement with his creditors. We are strongly disposed to think that, in 1860, Ghoolam Moortooza had more to apprehend from creditors, in respect of debts incurred subsequent to his insolvency, than from any scheduled creditors. It is further to be borne in mind that, in 1860, claims were being made under Act XXX. of 1858, and it was not difficult to foresee that Moortoozapett property would be the subject of a good deal of litigation in which Fakier Saheb might not care to be involved, especially if his debt had been wholly or nearly paid off since 1860."

* Fakier made another claim which was admitted and paid.

9. In paragraph 6 of the petition it is stated that Fakier's claim was fully acknowledged by the Government Solicitor, but the only document he cites is that mentioned in paragraph 6, and which is one of the enclosures to the petition. The letter alludes generally to seventy-nine claims. I have applied to the Government Solicitor for a list of them, but he informed me that no such document can be traced amongst his papers. I find, however, that Fakier Saheb made *another* claim on the estate, and that Rupees 10,189-11-11 was paid him on account of it. No doubt it is this claim, and not that against the Moortoozapett estate, which, until January 1860, is admitted to have been in regular course of liquidation that the Government Solicitor admitted.

10. With regard to paragraph 8, I have ascertained that the Government Solicitor has no such list of the Carnatic debts as is there described.

11. It is probable that the Government Agent at Chepauk may have further information on the subject. I have not applied to him, because, as I began by stating, the matter is not one which I can settle.

Forwarded to the Government Agent, Chepauk, with a request that he will furnish any further information which may be procurable from the records of his office.

FORT SAINT GEORGE,
15*th October* 1870.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 319.

No. 17. *Report called for by Government Endorsement, dated* 15*th October* 1870, *on letter addressed by James Grose, Esq., Receiver of the Carnatic Property, to the Chief Secretary, dated* 6*th October* 1870, *No.* 474.

The above-letter has been sent to me that I may furnish any further information, procurable from the records of this office, concerning a claim made by one Mohidin Ali Khan, son of the late Fakier Saheb. I regret to say that, from the circumstances of the case, no information on the point at issue is procurable from the records of this office. Fakier Saheb rented, from the late Carnatic Sirkar, a large building called Moortoozapett, for which he was to pay a rent of Rupees 500 a month, but out of that sum he was to retain Rupees 200 per mensem in recovery of a debt due to him by the Sirkar. The Rupees 300, which were to be paid to the Sirkar, were directed to be paid, not into the treasury, or to any one of the Sirkar Departments, but to Ghoolam Moortooza Khan, who held no official rank in the Sirkar, but was merely a personal favourite of the Nawab. Consequently, there is nothing in the official records of the Sirkar to show how the instructions above given were carried out. The payments directed may have been made regularly or irregularly, they may have been increased or diminished, but proof on the subject can be obtained only from the private accounts of the above-mentioned Ghoolam Moortooza Khan.

2. The said Khan died in 1862. His executor was Shurf-oo-Dowlah Bahadoor, with whom, it is believed, the papers left by the deceased now are. Should it be thought desirable, the Bahadoor may be called on for information, as to the subject of the present inquiry. But before doing so, I beg to submit that petitioner's claim appears to be invalidated by the circumstance that, in the year 1860, he gave up the contract above mentioned, by which he held Moortoozapett, to Ghoolam Moortooza Khan. It would seem, therefore, that any claim he may have in connexion with that contract can be only against the estate of the said Khan, and cannot be brought against Government as representing the late Sirkar.

3. One other point in petitioner's statement seems to call for remark. He twice asserts that his father (Fakier Saheb) brought the claim now spoken of before Government "in proper time, *i. e.*, before the 15th March 1862, by an application to the Government Agent at Chepauk." This is incorrect. The Government Agent has authority to deal only with the class of debts due by the late Sirkar called "petty claims." Petitioner's claim should have been brought before the High Court under Act XXX. of 1858. He did not do so, but in 1862 sent it to the Agent knowing well at the time that the Agent could not receive it.

CHEPAUK,
12*th November* 1870.

(Signed) R. S. WILSON,
Government Agent.

To the Chief Secretary to Government, Fort Saint George.

No. 18. ORDER THEREON, 14th December 1870, No. 413.

The Government do not hold themselves responsible for the amount claimed by the petitioner Mohidin Ali Khan.

2. Viewed as a claim against the late Nawab of the Carnatic, it ought to have been preferred under the provisions of Act XXX. of 1858. It was clearly not in consequence of ignorance that petitioner's father, Fakier Saheb, abstained from so preferring it, for he proved under the Act, and was paid the amount of, a separate claim. Whether, as surmised in the judgment of the High Court, his reason for inaction was that his debt had been substantially satisfied when he relinquished his contract, or that he was not prepared to prove his claim with the completeness and accuracy required by the Court, or that he dreaded being involved in litigation regarding the Moortoozapett property, it is clear that he designedly abstained from adopting the course prescribed by law for the adjustment of claims like his. If the first reason was the true one, the petitioner's present claim rests on no equitable basis. It would be unjust that, by presenting an informal petition appealing to the clemency of Government, petitioner should be emancipated from the strict conditions of proof required of other persons whose claims were perhaps better founded. Fakier Saheb was probably the best judge of his own interests, and he elected to allow his claim to lapse.

3. There is no evidence to show that the claim was admitted by the Government Solicitor; and, whether brought before the Government Agent or not, that Officer had no authority to receive it.

4. Viewed as a claim against Ghoolam Moortooza Khan, it lies, as pointed out by the Government Agent, against his estate.

5. Petition No. 3136 of 1869 will be endorsed :— "The Government decline to entertain petitioner's claim."

6. The petition addressed to the Receiver and the copy of the High Court's judgment will, as requested, be returned to the Receiver of the Carnatic Property.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 19. Read the following letter from the Officiating Junior Under Secretary to the Government of India, Foreign Department (Political), to the Acting Secretary to Government, Fort Saint George, dated Fort William, 6th December 1870, No. 2119-P :—

I have the honour to acknowledge the receipt of your letter, dated the 13th of January 1870, No. 21, forwarding, for transmission to the Secretary of State for India, a memorial from Rahman-oo-Nissa Begum, the accepted daughter of the late Nawab of the Carnatic, in which she complains that she has not been granted a sufficient allowance from the stipend assigned by the late Nawab to Auzum-oo-Nissa Begum, his nicka wife.

2. In reply, I am directed by His Excellency the Viceroy and Governor-General in Council to acquaint you that Her Majesty's Secretary of State for India

has been pleased to intimate that he will not interfere with the decision of the Governor of Madras, sanctioning an allowance of Rupees 150 per mensem to the memorialist.

3. You are requested to inform the memorialist accordingly.

No. 20. ORDER THEREON, 16th December 1870, No. 418.

Ordered that a copy of the foregoing letter be furnished to the Government Agent, Chepauk, with a view to his communicating the decision of the Secretary of State for India to Rahman-oo-Nissa Begum in reference to her memorial, dated the 2nd December 1869.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 21. Read the following translation of a letter from NAWAB SYED FUTTEH ALLY KHAN BAHADOOR, of Bunganapilly, to His Excellency the Governor in Council, Fort Saint George, dated 17th Shaban 1287 Hijiri:—

Your Excellency's sincere friend, Nawab Syed Futteh Ally Khan Bahadoor, of Bunganapilly, begs to state that the letters patent conferring on him the Jaghire of Bunganapilly, together with a portrait of Her Most Illustrious Majesty the Queen, was received by him, the Nawab, through the instrumentality of the Collector of Kurnool. This is entirely due to the consideration of Government and particularly to your Excellency's most gracious recommendation, for having equitably considered him, the Nawab, to be legally entitled to the Jaghire of Bunganapilly. This grant exalted him, the Nawab, very much, and caused his head to reach the pitch of glory amongst his equals. The feelings of thanks for this favour are indescribable either by tongue or by pen. "Should all the pores in my body turn into tongues, it would even then be impossible to express my thanks." He, the Nawab, hopes, likewise, for the future, that His Excellency the Governor and the Government of Madras will daily shower their favours on him, the Nawab, so that he, the Nawab, with easy heart, may remain engaged, both night and day, in devotion and in prayers for the prolongation of life and prosperity of Government, particularly that of Her Most Illustrious Majesty the Queen. May her shadow long endure.

What more to be represented?

Transferred to the Chief Secretary to Government.

(By order)

MADRAS, (Signed) J. H. GARSTIN,
13*th December* 1870. *Private Secretary.*

No. 22. ORDER THEREON, 19th December 1870, No. 420.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 23. Read the following letter from the Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George, dated Chepauk, 13th December 1870, No. 346.

I have the honour to forward herewith a letter addressed to His Excellency the Right Honourable the Governor in Council by Rusheed-oo-Dowlah Bahadoor, dated 12th December 1870, stating his distressed circumstances and praying for relief.

To

HIS EXCELLENCY THE RIGHT HON. FRANCIS LORD NAPIER BARON NAPIER, K.T.,
Governor in Council, Fort Saint George.

MY LORD,

I have the honour to submit for the favourable consideration of your Lordship in Council the following statement of my distressed circumstances, and prayer for relief.

2. I am a Shaudee son of Azeem-ood-Dowlah, the Nabob of the Carnatic, with whom the British Government formed the treaty of 1801. I am therefore a half-brother of the late Nabob Auzum Jah, who succeeded Azeem-ood-Dowlah, and of the present Prince of Arcot, Azeem Jah. But my circumstances have never been in proportion to my rank. Prince Azeem Jah during the lifetime of the late Nabobs received an allowance of Rupees 50,000 per annum. I received during that period only Rupees 12,000 per annum. Since the death of the late Nabob, Government have granted to His Highness an allowance of Rupees 3,00,000 per annum, with a perpetual remainder of half that amount for his immediate family. To me Government have been pleased to grant an allowance, in addition to that which I formerly held, of Rupees 12,000 per annum; making my income altogether Rupees 24,000 per annum, with a remainder of a moiety of that amount to my immediate successors, and of a moiety of that moiety to their immediate successors.

3. Owing to the above circumstances I have never been in a position adequate to my rank. I am also burdened with a large family. I have therefore been constrained to contract debts which press on me so heavily, that I am barely able to live, and suffer the greatest distress. I have no quarter to which I can look for relief except Government, and I am compelled therefore to lay my circumstances before your Lordship in Council, and to pray for some assistance, either in the shape of an increase to my allowance, or in that of a Bonus to enable me to pay off the debts which have accumulated on me.

4. The facts which I have mentioned above in support of my prayer are so well known, that it is not necessary for me to lengthen this communication by adducing proof in support of them. If your Lordship in Council is pleased to make enquiry, it will be found that when Government in 1801 fixed the allowances of the families of the former Nabobs of the Carnatic, they allowed to the three Shaudee sons of the Wallajah (Mahomed Ali) Rupees 50,000 per annum each, the same amount as was granted by my father to my half-brother Prince Azeem Jah. It may therefore be inferred that that amount was held due to the rank of Nabob's Shaudee son both by the British Government and by the Carnatic Sircar. I will add that my present indebtedness is not owing to my own extravagance, nor have I ever been indifferent to it. I have constantly struggled to meet the demands of my creditors, and for the last eight years I have been paying half my income (Rupees 12,000 per annum) in liquidation of their claims. But the struggle has been beyond my means. The heavy interest charged, the increased expenses of living in this city, and the necessity of providing for my family, have left me destitute, and I have no resource left but the present appeal. I trust that your Lordship in Council will take all the circumstances of my case into consideration, my descent, my age, my family, the causes of my indebtedness, the manner in which I have struggled with it, and the sacrifices which I have made to escape from it. The favourable

consideration of my case by your Lordship in Council will remove an undeserved hardship which has weighed on me during my whole life, and will enable me to enjoy during the few years that are left to me that position which I may call my birth-right, seeing that it has been so considered in the cases of others whose birth is not higher than mine.

MADRAS, MYLAPORE, I have the honour to be, &c.,
12th December 1870. (Signed) RUSHEED-OOD-DOWLAH BAHADOOR.

No. 24. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 24th December 1870, No. 424.

I am directed to forward for the consideration of His Excellency the Viceroy and Governor-General in Council, the enclosed Memorial* presented to this Government by Rusheed-ood-Dowlah Bahadoor, who is the 3rd Shadee son of the Nawab of the Carnatic Azeem-ood-Dowlah, and half-brother of His Highness Azeem Jah, Prince of Arcot.

* Dated 12th December 1870.

2. When the allowances to the immediate members of the Carnatic family were determined in 1856, the allowance to Rusheed-ood-Dowlah Bahadoor was increased from Rupees 1,000 per mensem, the monthly stipend he received during the last Nabob's lifetime, to 2,000 Rupees per mensem. It seems to His Excellency in Council somewhat doubtful whether the allowance fixed in 1856 was commensurate with Rusheed-ood-Dowlah's rank as a Shadee son of a Nawab of the Carnatic, and with the expenses necessarily entailed upon him by his position and his large family.

3. It is, however, certain that he has for many years been in very distressed circumstances, and his present condition is one which His Excellency the Governor in Council thinks is deserving of consideration and relief.

4. Rusheed-ood-Dowlah has, of his own accord, for some years set aside one-half his stipend of 2,000 Rupees per mensem for the payment of his debts, but his affairs are, notwithstanding this sacrifice, in a most embarrassed condition, partly owing to his large family and partly by his being, although of simple habits himself, of an easy disposition, which has prevented him enforcing in his household the strict economy necessary in his reduced circumstances. The debts of Rusheed-ood-Dowlah, which in 1867 amounted to Rupees 1,14,993, have been considerably reduced by the payments voluntarily made by him from his stipend, and are now estimated at Rupees 72,000.

5. These debts could probably be arranged by a payment to the creditors of Rupees 50,000. His Excellency in Council does not, however, advocate that any grant should be made for the payment of these debts, as it is more than probable that with a person of Rusheed-ood-Dowlah's weak disposition, such a course would lead to fresh debts being incurred and to further appeals being made for assistance, and it is not advisable that the Government should appear to admit any responsibility for the liabilities of the Memorialist or his family.

6. But His Excellency in Council considers that there are grounds for recommending to the Government of India that the Memorialist should be rescued from

the humiliating embarrassments which now press upon him, and that his position should be rendered easier for the remainder of his life, which will probably not be a very long one, as he is nearly seventy years of age.

7. As shown above the net amount received by Rusheed-ood-Dowlah, after providing for the instalment payable to his creditors, is Rupees 1,000 per mensem. If this net amount is raised to Rupees 2,000, it would afford the Memorialist very essential relief, and place him in a position of comfort and respectability.

8. Under these circumstances, I am to solicit the sanction of the Government of India to a special payment of (1,000) one thousand Rupees per mensem to Rusheed-ood-Dowlah Bahadoor during his lifetime, in addition to the stipend of 2,000 Rupees which was allotted to him in 1856. This special allowance should be regarded as entirely personal to the Memorialist, and will not in any degree affect the determination of the provision to be made, on the death of the Memorialist, for his family.

(Signed) R. S. ELLIS,
Chief Secretary.